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**GADSDEN COUNTY GOVERNMENTAL COMPLEX**

**Planning and Community Development**

**Robert Presnell**

County  
Administrator

**Deborah S. Minnis**

County Attorney

**Allara Mills Gutcher**

Director

**GADSDEN COUNTY BOARD OF COUNTY COMMISSIONERS  
PLANNING COMMISSION MEETING AGENDA AND  
PUBLIC HEARING**

**Thursday, March 13, 2014**

**6:00 p.m.**

Board of County Commissioners Meeting Room

7 East Jefferson Street

Quincy, Florida

- 
1. PLEDGE OF ALLEGIANCE
  2. INTRODUCTION OF MEMBERS/ROLL CALL
  3. APPROVAL OF MINUTES – *February 6, 2014 (workshop)*
  4. DISCLOSURES AND DECLARATIONS OF CONFLICT

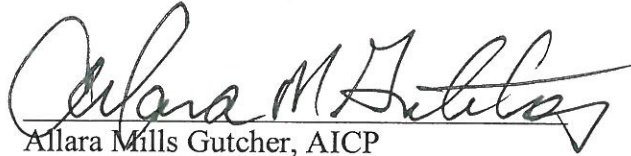
**GENERAL BUSINESS**

5. **PUBLIC HEARING: Housing Element (CPA-2014-01)** – An amendment to the Goals, Objectives, and Policies of the Housing Element of the Comprehensive Plan.
6. **PUBLIC HEARING: Subsection 5002(B) of the Land Development Code; Non-conforming Structures and Uses (LDC-2014-01)** – Amending the Land Development Code development standards regarding non-conforming structures and uses
7. PUBLIC COMMENTS
8. DIRECTOR'S COMMENTS



## 9. ADJOURNMENT

Respectfully submitted

A handwritten signature in black ink, appearing to read 'Allara Mills Gutcher', is written over a horizontal line.

Allara Mills Gutcher, AICP

Director

Planning & Community Development Department

*Pursuant to Section 286.0105, Florida Statutes, the County hereby advises the public that: If a person decides to appeal any decision made by this Board, agency, or meeting or hearing, he/she will need a record of the proceedings, and that for such purpose, affected persons may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the County for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law. In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should call the Planning & Community Development Department at 875-8663, no later than 5:00 p.m. at least 48 hours prior to the meeting.*





**GADSDEN COUNTY BOARD OF COUNTY COMMISSIONERS  
PLANNING COMMISSION WORKSHOP MINUTES**

**Thursday, February 6, 2014 6:00p.m.**

**Board of County Commissioners**

**Meeting Room**

**7 East Jefferson Street**

**Quincy, Florida**

**Present:**      Commissioner Regina Davis, At - Large Member, Chair  
                  Commissioner Edward Allen, Vice – Chair  
                  Commissioner Dr. Gail Bridges – Bright (absent)  
                  Commissioner Diane Sheffield  
                  Commissioner Larry Ganus  
                  Commissioner Mari VanLandingham (absent)  
                  Commissioner David Tranchand  
                  Commissioner Frank Rowan (absent)  
                  Commissioner William Chukes  
                  Commissioner Ed Dixon (absent)  
                  Commissioner Catherine Robinson  
                  Commissioner Isaac Simmons, Acting School Board Representative  
                  Allara Gutcher, Planning & Community Development Director  
                  Willie Brown, Principal Planner  
                  Beryl H. Wood, Deputy Clerk

**1. PLEDGE OF ALLEGIANCE**

Chair Davis called the meeting to order at 6:00 p.m. with a quorum and led in the Pledge of Allegiance to the U.S. flag.

**2. INTRODUCTION OF MEMBERS/ROLL CALL**

Each member present stated his or her name and district for the record.

**3. DISCLOSURES AND DECLARATIONS OF CONFLICT - None**

**WORKSHOP**

- 4. PRESENTATION – Communication Towers (LDR-2013-02) – Proposed Ordinance amending Chapter 5, Subsection 5800 of the Gadsden County Land Development Code revising the communication tower regulations.(Allara Gutcher, Planning &**

**Community Development Director) & PRESENTATION – Communication Antennas, Towers, and Structures presented by Telecommunication Industry Representative Art Peters. (Arthur K. Peters Consulting Engineers)**

Chair Davis disclosed she had public comment forms from Dr. Arnold and Marion Lasley, and for tonight's discussion there would not be a 3 minute limit for them.

Mrs. Gutcher recalled November 2013 discussion the ordinance then referenced the red line version of 5800 Communication Antennas, Towers, and Structures amendments. She discussed the different versions of section 5800 presented, which also included comments from Mr. Arthur Peters. She said his version is a clean version of the proposed changes and the strike though underlined on that versions are comments that Mr. Peters has made to suggest changes to the proposed version. She stated they would go through the proposal and address any comments that might arise. She briefly gave a biography of Mr. Peters stating he was an expert in the field. He works for local governments helping them get through telecommunication amendments to the Code. She mentioned he was very experienced and does a lot expert testimony on the subject and was there to answer any questions.

Mr. Art Peters, professional engineer out of Gainesville, appeared before the Board and introduced himself. He disclosed he had designed a lot of cellular systems in many different areas. He said he was here to answer any questions and looked forward to a great working relationship with them and would be assisting with updating the Land Development Code (LDC). He named some of his past works such as the Boston System, Los Angeles System, Miami, Atlanta, Palm Beach, Texas, New Orleans, and throughout the Country. He commented he has a lot of experience in the field and currently reside in the State of Florida and pointed out that he worked for counties and cities. He mentioned he does not work for cellular companies. He said mainly there are a lot of people writing Codes that want their communities kept safe and sane and they don't need a basis view of people wanting towers going in certain places. He noted that he recommended some changes as reflected in the redline version of the handout, but after hearing from the Commission would amend further if so desired.

Chair Davis said they would entertain questions from Commissioners starting from the left and continuing on.

Commissioner Simmons commented on 5807 Design Standard of the red line version; *the maximum height of a communication antenna, tower or structure shall be two-hundred fifty (250) feet.* He said his question is related to the collapse rate, if they fall.

Mr. Peters stated if it's not a lattice tower, cross members on 3 or 4 legs can be designed so if they collapse and it would be in pieces, if wind comes along their places on that tower that are made to collapse at lower wind speed than the fall speed of the tower. As the wind increases this tower will break and only a section would fall off and eventually it all would fall in fairly small circle.

Commissioner Simmons asked if a house that was within a 150ft would be safe.

Mr. Peters responded that was correct, but it also depends on the type of tower. He said if someone proposes to build a tower you need to ask what can of tower, is this tower designed to fall and break apart in a wind.

Commissioner Simmons last questioned related to amending the Ordinance as it relates to cell towers and structures. "Do we have in here, where any new tower, after this new legislation came out will be of that type."

Mr. Peters replied he couldn't speak for the county, but he would recommend that. He said he assumed he would be helping county write that into the speciation and do in a proper fashion to make certain that is what happens.

Mrs. Gutcher said right now the regulations don't specify on the type of tower that someone can install.

Chair Davis asked was there a reason for that.

Mrs. Gutcher responded no.

Commissioner Ganus asked Mr. Peters to expound on the types of towers.

Mr. Peters responded lattice towers can be of two type one of free standing self supporting tower one that wide base and narrows as it goes up and no guyed wires. This tower could possibly fall 200ft or 250ft. The ones that are narrow and also lattice, that are guyed most of the time will not fall down, depending on the number of guys. These are all technical issues that the applicant when we they put in an application need to specify the kind of tower and any recommendation that you have for a fall radius. In general the taller towers up to 2,000ft are straight lattice towers and they are all guy wired. Small lattice towers are the ones at the Fire Department and the Police Department, everybody has this kind. The height of the tower depends how far the tower has to transmit and what the terrain is around it.

Commissioner Ganus commented that he heard cell towers were no good pass a ½ mile and asked how far where towers reach?

Mr. Peters replied towers will reach 4-6 miles depending. He gave history on cell design. The first cell site to go into a community has capability however many channels that can operate from that cell tower at a single time. If you have 30-40 channels on there you can carry 30-40 conversations at a time. The 44<sup>th</sup> guy that wants to come in and make a call get's kicked out. The next cell tower that is put in will probably have the same number of channels put in, but they can know take calls from anybody in the area of the 2 towers. If these cell towers all calls are in use, then the other cell tower can handle it typically.

Commissioner Ganus asked at what distance and could you add to existing towers for more coverage.

Mr. Peter's responded frequency has changed and they run now 4-6 miles. The only way you can increase the number of people is by putting in additional towers. If you want to serve 40 people and you have 40 channels then you can serve them. If you now have 200 people and only 40 channels you can't serve all those people. You then would add another tower and that will do 80. He said you could add to existing towers but, run into a finite of how many people you can serve from a single tower. You can double the number but, as soon as you double the number you put the channels, say you have 40 channels on this one, you put another 40 on the existing one. He added you can do that only if there are no other towers around. You have to remember you only have a finite number of channels in a pool that you can use. If you take 40 channels and add it too it, you can't use those same 40 channels anywhere close because there has to be a separation distance or they interfere with each other.

Commissioner Robinson clarified isn't there more than one carrier on each tower.

Mr. Peters said yes, each company that provides cell service will have its own set of channels. One company channels don't serve people of other companies. It's a finite number of channels; the number of people each cell site serves is pretty much a fix thing. In a particular system if a cell site serves 100 customers then if you want to serve 200 customers you need another cell and it becomes repetitious. The distance a cell can serve changes with a number of cells in the system. As the number of cells in the system increases than the number of cells serve a smaller area and that's how they get more people on it.

Commissioner Ganus inquired about the new smart phones which require greater data and services impacted the number of towers that are required. He also asked how many channels are available to providers.

Mr. Peters replied absolutely. The more traffic that's put over those channels, the more channels you have to have to serve that traffic because you only have a finite amount of data that can be served on a one telephone conversation. He said as far as the number of channels available to providers it is 333 channels in a band. "It is not a good criterion as to how much traffic can be handled over the channels. What should be discussed is the bandwidth. As the number of cells increases the requirement for tall towers diminishes the requirement for high power diminishes, so each cell know is serving a smaller and smaller area because there are more and more cells coming in."

Commissioner Ganus discussed a Comprehensive Tower Plan.

Mr. Peters said cells go in first where there are people, and then they go in on how much traffic is generated by that group of people. If you have a cell with a whole lot of traffic such as people are watching television, then you would have to increase capacity of that cell. You still are confined to a finite number of channels and you can only have

so much information going over channels, you would have to split that cell to get more information out.

Commissioner Simmons pointed out they are here to discuss design and cell capacity issues and felt it would hinder progress by entertaining other topics of discussion. He asked for the definition on towers and justification of need. "What's the fall radius of your tower?"

Mr. Peters stated he was correct they would get bogged down. "Cells are there to serve people and if you have a demand to provide more service and if it's located near a community you would have to put in another cell because it's a capacity issue at that point. The height of tower, early in the cell system you want tall towers so they will cover big areas, but as you start increasing capacity your cell towers go down you want to lower those tower heights so they don't transmit quite so far, so you can repeat them."

Mr. Peters responded on the need that every Code he had written requires justification of the need. You can't just come in a slap a tower up if it's not necessary. I would recommend that is the way you run it.

Chair Davis stated so far the two things she heard was to define the type of tower and the justification of need.

Mr. Peters said the question you need to ask an applicant is what the fall radius of your tower is and who it is certified with.

Commissioner Chukes asked about the falling of towers and gave for example if a tower falls within a 100ft. He also concerned with putting towers close to one's resident.

Mr. Peters said he has written Codes that say based on the fall radius of tower, if the tower is located within so many feet of some boundary; you have to prove that the fall radius will not allow it to fall within that adjacent boundary. He stressed the concern of putting towers to close to one's resident differs with each county. He said his personal recommendation is what you don't want to do is exclude a tower where it might be necessary. The current Code states you have to be a ½ mile from the nearest rural residential lot. You may have a need to put a tower in the middle of residential neighborhood to provide good coverage. He recommended that the Code allow for recommendation of towers in residential areas provided that their fall radius is averted in some way.

Commissioner Ganus asked about fall zones during hurricanes and tornados and could fall zones be defined?

Mr. Peters said the modern towers have a design break and if the wind gets above a certain pressure this section of the tower would break and it would probably be 10ft

long. Yes, fall zones can be defined by the type tower in feet. He said technically the best way is fall zone boundary.

Commissioner Ganus commented on 5805: Code locations the change of 180ft to 110ft feet in height. He asked about lighting requirements.

Mr. Peters said you don't want to place so many restrictions were vendors don't want to come in and put cell towers in. He suggested anything above 110ft, we to make sure we provide for x number of users. If you want to go above a 110ft you had better put enough capacity in that tower to accommodate to 4, 5 or whatever number of people. Get enough provision for anyone who might want to use that tower. On the lighting requirement he said if it is less than 250ft there is no lighting requirement.

Commissioner Sheffield asked how lighting was addressed and about subsection 5807: Illumination: *Lighting above twenty (20) feet on the structure or within the compound of the structure, tower, or antenna is limited to that which is **required** by the Federal Aviation Administration or other federal agencies.* She asked about 58108 on page 9: She referenced it called for type 1 review procedures as specified in subsection 7202 of this Code, but under subsection 5806 it says there is a type 2 administrative review. Said she preferred the type 2 review, because it is emotional for citizens. She voiced it should be changed to type 2 review.

Commissioner Ganus briefed Mr. Peters on the difference between type 2 review, which comes before the public hearing, Commission and Board and type 1 has no outside review by public or anyone.

Mrs. Gutchner pointed out required is key word. She stated that Type 1 is whatever meets Code, not personal choices.

Mr. Peters discussed unipol's. He said the Code should try to push people into a more desirable type of tower by offering an incentive like a type 1 versus a type 2 approach. He recommended offering a type 1 review to all unipol towers of a certain height and all others type 2.

***Consensus: Recommendation Type 2 Review (all input) Use by right would be struck throughout.***

Commissioner Sheffield said they struck out requirement that an applicant must demonstrate that they have exhausting all ways of finding an existing tower to locate on, but did you restate someone else. She said they want providers to put equipment on existing towers. "Do we want providers to try and co-locate."

Mrs. Gutchner commented part of the type 1 review was the co-location. *She referenced 5805: Planning for additional capacity on existing and new towers and structures is mandatory.*



Mr. Arnold who makes decision for carriers that wants to co-locate on towers.

Mr. Peters replied the carrier themselves; it's up to them who they allow. They are happy to accommodate anybody who wants to go on to their tower for any reason, because it's income to them. Each cellular company carrier has a network and this network is carefully laid out and it grows. The system is set up so these cells are interactive; they talk to each other and can carry people from one cell to another.

Commissioner Sheffield commented on page 4 of 5806: *Telecommunications towers proposed to be located less than 3500 feet from an existing telecommunications tower must submit technical details as to why their proposed antennas cannot be deployed on the existing structure.*

Mr. Peters responded all applicants must show why they can't locate on existing towers. A list of technical requirements, that any tower they put up would be registered with the County, so the County can maintain database of tower locations.

Commissioner Robinson commented on Mr. Peter's comments subsection 5801 Purpose and Intent: "Who regulates in the city, I see the county." She questioned the space between towers.

Mrs. Gutcher said the City regulates the City.

Mr. Peters said one of the technical requirements show adjacent towers to the one they are proposing. He said long ago they did specify space between towers, they no longer do that.

She questioned would all 6 requirements need to be met on landscaping on page 5.

Mrs. Gutcher said all is required.

Commissioner Allen asked about each tower having 30 cells per 100 customers or is it generality.

Mr. Peters said that is not a bad estimate of what goes on in a cell but it depends on the amount of channels they put in. He said basically it is based on demand.

Mr. Allen asked would Mr. Peters be able to help write regulations.

Commissioner Tranchand asked about towers aging out. He asked are they trending everywhere to short or tall towers.

Mr. Peters said towers normally run 20 years, sometimes more. It has to be maintained. The trend is to downsize towers. He said the trend only applies to those communities who have capacity issues.



Mr. Tranchand questioned assigning IP addresses.

Mr. Peters commented if assigning IP addresses to someone for any reason has an impact on the usage of the network then there is going to be an increase in the number of cells. If there more traffic then there is a need for more cell towers.

Commissioner Sheffield inquired about radiation. "I know that the representatives always say they can't answer questions on that subject and I guess that's because they aren't scientist."

Mr. Peters pointed out what you're prohibiting from doing is considering radiation hazards or making any type of public judgment. He said radiation hazards are not a hazard when handled properly. "It is studied intensely, it's a worldwide concern."

Dr. Anthony Arnold questioned lighting red strodes. "The reasons they wrote the original ordinance the way they did, was one of the primary objections from citizens were they didn't want to look at a flashing red light or flashing strode light outside their window at night." He said they make really generous setback rules, 7 times the tower height. Basic logic was based on lot sizes and tree heights in the County and then top of tower would not be visible if it was 7 times the tower height from the property line and that was more for red light towers. He said they need to pay attention to lighting in setbacks.

Mr. Peters said you don't have to have specifics it is any tower that is built under your jurisdiction will perform to FAA/FCC rules.

Mrs. Gutcher said it relates now to FAA regulations. "You can introduce setbacks that are acceptable or you can make a tower height limit to 199 feet."

Mr. Peters said you may need tower above 200ft. He said he would forward that section of FHA to Dr. Arnold.

Mrs. Gutcher said new lights would shield up not down, due to FHA regulations.

Marion Lasley commented the wording of no strode lighting has been removed. Original language in ordinance needs to be kept. I'm concerned by the usage of word residence. Co-location "I want a map of all towers and co-location, to show they are max out." She said would like chart thrown out and original kept. The intent of original ordinance was not too build many towers, one tower for as many carriers as possible. It should be required, stronger language. Fall zone, the whole concept, terrible. Setbacks are too close. "For a complete list of Mrs. Lasley's comments, you can visit the Clerk's Office or Planning Department."

Mr. Peters said it is governed, you can't design their system.

Dr. Arnold presented original ordinance.

Commissioner Simmons commented there is more work that needs to be done on this.

Commissioner Davis suggested a chart might be easier than all the handouts. She gave for example 3 columns for all the changes such as suggestive language from redline, Peters/Staff, original and others, who is in agreement or not.

Mrs. Lasley noted that she had already made her comments.

Commissioner Sheffield suggested the chart from the EAR Amendments.

Mrs. Gutcher asked Mrs. Lasley to meet with her on so they can discuss her concerns.

Mr. Brown commented on camouflage towers. He said they have had 3 towers in the last 3 years for approval.

Mrs. Gutcher pointed out as a type 2, administration review you have to have basis to deny the tower.

**4. PLANNING COMMISSION COMMENTS/QUESTIONS/NEXT MEETING**

It was determined that the next meeting/workshop would be set be staff.

**5. PUBLIC COMMENTS**

There were no additional public comments.

**8. ADJOURNMENT**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE CHAIR DECLARED  
THE MEETING ADJOURNED AT 8:06 P.M.**

**GADSDEN COUNTY, FLORIDA**

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**REGINA DAVIS, CHAIR - PLANNING COMMISSION**

**ATTEST:**

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**BERYL H. WOOD, DEPUTY CLERK**

#5

## Gadsden County Planning Commission Agenda Report

**Date of Meeting:** March 13, 2014

**To:** Honorable Chairman and Members of the Planning Commission

**From:** Allara Mills Gutcher, AICP, Planning & Community Development Director

**Subject:** Public Hearing – Amendment of the Housing Element of the Comprehensive Plan

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### **Statement of Issue:**

Update of the Housing Element of the Gadsden County Comprehensive Plan.

### **Background:**

In 2012, the Comprehensive Plan was presented to the Planning Commission as a required update based on the adopted Evaluation and Appraisal Report (EAR) and statutory time limitations to adopt an EAR-based amendment as a result of the findings of the EAR. After public hearing by the Planning Commission, the Plan was then never forwarded to the BOCC for public hearing and transmittal to the Department of Economic Opportunity for review. This step is required in the adoption process of the Plan.

As state statutes include limitations on how much time can pass between the adoption of the EAR and the EAR-based amendments, the County has now at a point where no further amendment can be made to the Comprehensive Plan until such time as an effort has been made to adopt the EAR-based amendments. The sanction includes map amendments to the Future Land Use Map. This sanction was placed on Gadsden County in May of 2013.

It was discovered that although several text amendments were introduced to the Planning Commission previously, no data and analysis was completed to correspond with the updated changes. In addition, not all statutory requirements were met in the proposed Plan. Since this time, staff has been diligently working toward identifying the deficiencies in the draft Plan as compared to statutory requirements, and completed data and analysis.

The Department of Economic Opportunity has indicated that even a partial amendment to satisfy the requirements of Section 163.3191(4) will be accepted. Therefore, this initial submittal is proposed to allow the County to update the Future Land Use Map as development potential is proposed and the need to amend the map may arise.

### **Analysis:**

Florida Statutes dictate the requirements of the Housing Element. This analysis is attached as an exhibit to this staff report.

### **Planning Department Findings:**

The amendment to the Housing Element of the Comprehensive Plan will begin the process for Gadsden County to be found compliance with Florida Statute 163.3191(4) and the requirements of Florida Statute 163.3177 – Required and optional elements of the comprehensive plan; studies and surveys. The Planning Division finds that the proposal meets the requirements of Florida Statute 163.3177.

Additional goals, objectives and policies outside of the requirements of 163.3177 are a legislative decision. Specifically, Goal 3E and the subsequent objective and policies are a legislative decision as the requirements of this portion of the Element were removed from statutory requirements in 2011.

### **Options:**

§163.31714(4)(c) Florida Statutes, states the Local Planning Agency has the following options:

Review proposed land development regulations, land development codes, or amendments thereto, and make recommendations to the governing body as to the consistency of the proposal with the adopted comprehensive plan, or element or portion thereof, when the local planning agency is serving as the land development regulation commission or the local government requires review by both the local planning agency and the land development regulation commission.

Furthermore, the Land Development Code states this action is a legislative action (Subsection 7401). Section 7402 – *Land Development Code Amendments* states “The Planning Commission will make recommendations to the Board of County Commissioners on the validity of the proposed Land Development Code amendment.”

Therefore, the Planning Commission has the following options:

1. Recommend to the Board of County Commissioners that the proposed amendments are consistent with the Comprehensive Plan, and adopt the amendments to the Housing Element of the Comprehensive Plan, as presented.
2. Recommend to the Board of County Commissioners that the proposed amendments are not consistent with the Comprehensive Plan, and do not adopt the amendments to the Housing Element of the Comprehensive Plan, as presented.



**Staff Recommendation:**

Option 1. Recommend to the Board of County Commissioners that the amendment is consistent with the Comprehensive Plan and adopt the amendments as presented.

**Attachments:**

1. Draft Housing Element.
2. Data and Analysis supporting the update of the Housing Element.
3. Analysis of the requirements of Florida Statute 163.3177(f).
4. Letter from DEO dated June 26, 2013.





## HOUSING ELEMENT

## INTRODUCTION

The following goals, objectives and policies constitute the Housing Element providing for decent, safe and sanitary housing at affordable costs and in sufficient quantities to meet the needs of the existing and future population projected for the County. The **Data and Analysis** for the Housing Element are not part of the adopted comprehensive plan but serve as the basis for formulation of the required goals, objectives and policies pursuant to Rule 9J-5.010, Florida Administrative Code.

— This element of the County's comprehensive plan establishes a guide to address the future housing needs of the County. The Housing Element addresses the main goal for housing within the County through the year 2010, as well as measurable objective which are established to meet the County's housing goal. In addition, each objective is followed by one or more corresponding policies to provide guidance and direction toward the accomplishment of each stated objective.

## GOAL, OBJECTIVE AND POLICIES

**GOAL 3A: TO ENCOURAGE AND PROMOTE THE AVAILABILITY OF AFFORDABLE, ~~DECENT~~, SAFE AND SANITARY HOUSING TO MEET THE NEEDS OF THE EXISTING AND PROJECTED POPULATION OF THE COUNTY.**

**OBJECTIVE 3.1: Further the development of workforce housing within Gadsden County.**

**Policy 3.1.1:** This Comprehensive Plan hereby adopts all definitions in §420.0004, Florida Statutes by reference.

**Policy 3.1.2:** The County shall follow the affordable housing incentives adopted by Resolution 2008-078 to provide for equal opportunity in the sale of land and rental of housing in accordance with established state and federal standards.

**Policy 3.1.3:** The County shall permit the construction of workforce housing within residential areas which are served by supporting infrastructure.

**Policy 3.1.4:** The County will work with relevant federal, state, regional and private agencies to provide, construct and/or rehabilitate housing, including farm worker housing.

**Policy 3.1.5:** The County shall continue to support implementation of any housing assistance program initiatives.

**Policy 3.1.6:** Any state or federal housing plan prepared on behalf of the County shall be consistent with the Goals, Objectives and Policies of this plan.

**Commented [AMG1]:** See Goal 3B for substandard conditions.

**Commented [AMG2]:** §163.3177(f)(1)(a) and (3)

**Commented [AMG3]:** §163.3177(f)(3)

**Commented [AMG4]:** Note: Previously Policies 3.3.3 – 3.3.5

**Commented [AMG5]:** §163.3177(f)(1)(f)

**Commented [AMG6]:** Moved from Policy 3.3.2 to better fit under this goal and objective. This policy was also revised as technically there is no Affordable Housing Incentive Plan, but rather strategies that the previous Affordable Housing Advisory Committee recommended in 2008, which the BOCC adopted by resolution.

**Commented [AMG7]:** §163.3177(f)(1)(b) and (1)(g)

**Commented [AMG8]:** §163.3177(f)(3)

**Commented [AMG9]:** §163.3177(f)(1)(f) and (3) and (4)





**Policy 3.1.7:** A mixture of housing types shall be allowed, including single-family detached, multifamily, and accessory dwelling units, within a variety of price ranges to provide a range of housing options for county residents.

Commented [AMG10]: §163.3177(f)(1)(a) and (1)(g) and (3)

**Policy 3.1.8:** The construction or existence of an accessory dwelling unit (ADU) shall allowable by right regardless of the allowable density in which the parcel is located. However, such unit must connect to a central utility system and must be located within an Urban Service Area or Rural Residential Future Land Use category. Only one ADU is allowable per parcel per primary use or structure.

Commented [AMG11]: §163.3177(1)(a) and (1)(d) and (3)

**Policy 3.1.9:** Residential uses shall be allowable in any Agriculture, Rural Residential, or other land use category that allows for a mixture of land uses that include residential uses. Residential uses shall be allowable in a limited level in within the Silviculture Future Land Use category.

Commented [AMG12]: §163.3177(f)(1)(a) and (1)(d) and (3)

**OBJECTIVE 3.12:** ~~The County shall assist the private sector in meeting the needs of the existing and projected population for the provision of 1350 new dwelling units by the year 2010 of which 15 percent of the dwelling units will be for affordable housing and farm worker housing by incentivizing and construction of workforce housing.~~

Commented [AMG13]: §163.3177(f)(3)

**Policy 3.1.1:** ~~The County shall permit the construction of affordable housing within Urban Service Areas, Commercial Areas, and Rural Residential Areas which are served by supporting infrastructure as established in other elements of this comprehensive plan.~~

Commented [AMG14]: Moved to Policy 3.1.3

**Policy 3.1.2.1:** The County shall continuously review all pertinent ordinances as well as the permitting process for the purpose of streamlining requirements, and amending or adding other requirements to increase private sector participation in meeting housing needs, while continuing to ensure the health, safety and welfare of the residents.

**Policy 3.1.32.2:** ~~The County shall monitor all existing land development regulations to effectively assist in meeting established housing objectives. The County shall provide for concurrent reviews, better coordination and consolidation of functions in the permitting process of the Department of Planning and Zoning Land Development Regulations for corresponding land use changes in the issuance of development orders; Health Department for septic permits; and Department of Building Inspection for construction permits and certificates of occupancy.~~

Commented [AMG15]: §163.3177(f)(3)

**Policy 3.1.4:** ~~The County will work with relevant federal, state, regional and private agencies to provide, construct and/or rehabilitate housing, including farm worker housing in the land use categories referred to in Policy 3.1.1. If clustering methods are applied, the agricultural areas may be used for siting low and very low income projects.~~

**Policy 3.1.5:** ~~The County will define "Moderate Income Person" or "Moderate Income Household" to mean one or more natural persons, or a family, that has a total annual gross household income that does not exceed 120 percent of the median annual income adjusted for family size for households within the county, or the non-metropolitan median for the State, whichever amount is greatest.~~





**Policy 3.1.6:** The County will define "Low-Income Person" or "Low-Income Household" to mean one or more natural persons, or a family, that has a total annual gross household income that does not exceed 80 percent of the median annual income adjusted for family size for households within the county, or the non-metropolitan median for the State, whichever amount is greatest.

**Policy 3.1.7:** The County will define "Very Low-Income Person" or "Very Low-Income Household" to mean one or more natural persons, or a family, that has a total annual gross income that does not exceed 50 percent of the median annual income adjusted for family size for households within the county, or the non-metropolitan median for the State, whichever amount is greatest.

Commented [AMG16]: See Policy 3.1.1

**Policy 3.2.3:** By 2015, the County shall develop a strategy to assist developers in meeting the affordable housing needs of the County.

Commented [AMG17]: §163.3177(f)(3)

**Policy 3.2.4:** The County shall consider the option of establishing incentives for development of workforce housing such as density bonuses for land donated to the County for the provision of workforce housing in accordance with §420.615, Florida Statutes.

**Policy 3.2.5:** The County shall promote the use of clustering, transfer of developments rights, and other innovative redevelopment and infill strategies to promote and incentivize the development of workforce housing.

Commented [AMG18]: §163.3177(3)

**Policy 3.2.6:** In addition to Policy 3.2.5, the County shall consider other incentives to promote the development of quality workforce housing.

Commented [AMG19]: §163.3177(f)(3)

**Policy 3.2.7:** The County shall continue to provide increased opportunities for developers to construct housing for extremely low, very low, low and moderate income housing through consideration of the following:

Commented [AMG20]: §163.3177(f)(1)(d)

- a) Increased densities in the Rural Residential Future Land Use category and other categories that allow residential uses that lie within the Urban Service Area where such development will be serviced by public water and sewer utilities.

Commented [AMG21]: This was moved from original 3.3.7

### GOAL 3B: PROMOTE THE ELIMINATION OF SUBSTANDARD HOUSING STOCK

Commented [AMG22]: §163.3177(f)(1)(b) and (3)

**OBJECTIVE 3.23:** The County shall promote the maintenance of a safe and sanitary housing stock, and an annual reduction of substandard housing conditions, as well as the establishment and establish of provisions for the structural and aesthetic improvement of housing, through updating the existing minimum housing standards. These standards are as provided by the Southern Standard Building Congress or the Florida Building Code, when enacted.

Commented [AMG23]: §163.3177(f)(1)(b) and (1)(c)

**Policy 3.23.1:** The County shall include minimum housing standards which shall address the quality of housing and stabilization of neighborhoods through its neighborhood conservation and rehabilitation strategies administered through the Gadsden County Community Development Department and the Gadsden County





~~Department of Code Enforcement. The Community Development Department shall regularly identify standard condition housing (owner occupied and rental) in need of routine maintenance and deteriorated (owner occupied and rental) housing in need of minor repairs, along with strict enforcement of the County's Nuisance Ordinance. The County shall utilize the Nuisance Ordinance to address the storage of disabled motor vehicles and other unsightly articles in yards as well as work with owners and renters to upgrade units to housing code standards.~~

Commented [AMG24]: §163.3177(f)(1)(b) and (1)(c) and (3)

**Policy 3.23.2:** In addition to improved and increased code enforcement activities, the County shall ~~use the Office of Grants and Special Projects as its lead entity to seek and use CDBG grants, FHA grants, sweat equity, and where possible owner investment for the conservation, rehabilitation and/or demolition of identified substandard housing.~~

Commented [AMG25]: §163.3177(f)(1)(b)

**Policy 3.3.3:** The County shall assist not-for-profit entities ~~such as Habitat for Humanity~~ in achieving their goals of providing safe and decent housing to qualifying low and very low income families. ~~Criteria for establishing assistance to such entities shall be detailed in the Land Development Code.~~

Commented [AMG26]: Was part of Policy 3.3.2 but separated for clarity into its own policy.

Commented [AMG27]: §163.3177(f)(1)(d)

**Policy 3.23.4:** The County shall continue to prioritize and target assistance to blighted neighborhoods by seeking funding on an annual basis for capital improvements and/or operating budget improvements in such neighborhoods.

Commented [AMG28]: §163.3177(f)(3)

~~**Policy 3.2.4:** The County shall promote the use of clustering, transfer of development rights, and other innovative redevelopment and infill strategies to strengthen the existing housing stock in its efforts to reduce the number of substandard housing units.~~

Commented [AMG29]: Moved to Policy 3.2.5

**Policy 3.23.5:** In order to target areas for housing needs funding, the County shall ~~repeat the conduct a~~ housing conditions survey ~~in a manner similar to the baseline study performed in 1988~~ to assess ~~changes in~~ conditions and location of housing stock in the county. ~~This study should be performed as near to the Census anniversary in year 2000 and successive decennial years as is practicable.~~

**Policy 3.3.6:** The County shall create a uniform Relocation Assistance Program and Real Property Acquisition Program or policies for persons that will be displaced by County action.

**Policy 3.3.7:** The County shall assure that reasonable located, standard housing at affordable costs is available to persons displaced through public action prior to their displacement.

**Policy 3.3.8:** The County shall pursue additional funding or grants for the continuation of the programs listed in Policy 3.3.6 and 3.3.7.

Commented [AMG30]: §163.3177(f)(1)(e)

**OBJECTIVE 3.3:** ~~The County will provide for affordable housing by guiding multifamily units in Urban Service Areas and Rural Residential Areas with supporting public facilities. The Future Land Use Map will allow for mobile homes parks in Commercial and Urban Service Areas.~~





**Policy 3.3.1:** The County shall establish a Housing Finance Committee that includes a citizen-based Affordable Housing Partnership Committee to make specific recommendations to the County for the development of housing for low and moderate income persons and to coordinate volunteers for housing repairs and maintenance of low income housing, particularly for the needs of the elderly.

**Commented [AMG31]:** This was accomplished in 2013 with Ordinance 2013-009.

**Policy 3.3.2:** The County shall monitor and revise the existing fair housing ordinance, as needed, to provide for equal opportunity in the sale of land and rental of housing in accordance with established state and federal standards.

**Policy 3.3.39:** The County shall use the definition for a mobile home and a manufactured home as contained in §320.01(2), Florida Statutes, define a Mobile Home per Florida Statutory definition: 'FS 320.01(2)(a), "Mobile Home" means a structure (fabricated prior to June 15, 1976) transportable in one or more sections, which is eight body feet or more in width and which is built on an integral chassis and designed to be used as a dwelling when connected to the required utilities and includes the plumbing, heating, and electrical systems contained herein....'

**Commented [AMG32]:** §163.3177(3)

**Policy 3.3.410:** The County shall use the definition of a prefabricated or modular home as contained in 12D-3.001, Florida Administrative Code. The County shall define a Manufactured Home per the Florida Statute definition: 'FS 320.01(2)(a), "Manufactured Home" means a mobile home fabricated on or after June 15, 1976, in an off site manufacturing facility for installing or assembly at the building site, with each section bearing a seal [HUD] certifying that it is built in compliance with the Federal Manufactured Homes Construction and Safety Standards Act. Per FS 320.8285(5) the Department of Motor Vehicles shall be responsible for construction standards and the County shall be responsible for land use, zoning requirements, setbacks, site development, property line requirements, and subdivision controls.

**Commented [AMG33]:** §163.3177(3)

**Policy 3.3.5:** The County shall define a Manufactured Building per the Florida Statute definition: FS 553.36(11) "Manufactured Building" means a closed structure, building assembly or system of subassemblies, which may include structural, electrical, plumbing, heating, ventilating, or other service system manufactured in manufacturing facilities for installation or erection, with or without other specified components, as a finished building or as part of a finished building, which shall include, but not be limited to, residential, commercial, institutional, storage and industrial structures.

**Commented [AMG34]:** This does not pertain to housing. See policy 3.3.9 for definition of manufactured home.

**Policy 3.3.6:** The County shall regulate the proper placement and set up of mobile and manufactured homes, and manufactured buildings under the auspices of the Department of Building Inspections. In addition, the County shall prohibit placing of mobile homes, or modular home without first acquiring a permit, and prohibit the occupancy of any mobile home, or modular home unless certain square footage, width, and codes are met and prohibit the installation of electrical services until proper permits have been issued. Replacement housing units will not be issued a certificate of occupancy until the existing housing structure is removed from the property. Recreational vehicles shall not be permitted as residential units in any land use category or use.

**Commented [AMG35]:** Deleted because this is a statement of building code requirements.





**Policy 3.3.11:** Replacement housing units shall not be issued a certificate of occupancy until the existing housing structure is removed from the property, unless density allows for more than one dwelling unit.

**Commented [AMG36]:** This was the last portion of Policy 3.3.6.

**Policy 3.3.12:** Recreational vehicles shall not be allowed as permanent residential dwelling units in any land use category or use. A permanent residential dwelling is considered one used for more than three months within Gadsden County.

**Commented [AMG37]:** §163.3177(3)

**Commented [AMG38]:** This was the last portion of Policy 3.3.6.

**Policy 3.3.7:** The County shall continue to provide increased opportunities for low and moderate income housing through increased densities in the Urban Service Areas and Rural Residential Areas, cluster and zero-lot line developments, reduction of impact fees, encouraging the designation of affordable housing units in new developments, allowing multi-family housing developments in most residential zoning categories.

**Commented [AMG39]:** Amended and moved to Policy 3.2.7 as this does not specifically pertain to this objective.

**Policy 3.3.813:** Mobile home parks shall be located in Urban Service Areas and Commercial areas. Manufactured Home Subdivisions for housing meeting the current H.U.D. guidelines for Modular Home Construction Modular homes which meet the definition contained in 12D-6.001, Florida Administrative Code, may be permitted in all categories that allow for residential land-uses if they have the insignia from the Florida Department of Community Affairs affixed to the structure.

**Commented [AMG40]:** §163.3177(3)

**Policy 3.3.14:** Mobile or manufactured homes, also known as mobile homes, shall be restricted from existing platted neighborhoods that were originally sold with deed restrictions or covenants restricting the permanent placement of mobile or modular homes regardless of the term or expiration of the original covenant and restriction.

**Commented [AMG41]:** §163.3177(3)

**Commented [AMG42]:** This was previously a part of the previous policy as was separated for clarity.

#### **OBJECTIVE 3.4: Support alternative methods for the conservation, rehabilitation or demolition of unsafe housing stock.**

**Policy 3.4.1:** The hazardous building ordinance shall require the conservation, rehabilitation or demolition of housing and other structures that pose a threat to public safety.

**Policy 3.4.2:** The County shall apply for federal, state and/or private foundation housing assistance where it has been determined that the County has competitive standing in any ranking process for determining program award.

**Policy 3.4.3:** To better assist senior citizens living in substandard housing, the County shall consider establishing a program to offer financial grants to those aged sixty-five (65) and older who meet income eligibility requirements for the repair of substandard housing.

**Commented [AMG43]:** §163.3177(1)(d)

#### **GOAL 3C: PROTECT EXISTING, STABLE NEIGHBORHOODS FROM BLIGHT.**

#### **OBJECTIVE 3.5: The County shall prevent blight in existing, stable neighborhoods.**

**Policy 3.5.1:** The County shall increase the supply of standard housing through code enforcement and rehabilitation and encouragement of infill development.

**Commented [AMG44]:** §163.3177(f)(1)(g)





**Policy 3.5.2:** The County shall support the rehabilitation of blighted housing through a program to enhance or repair individual structures through an application process on a limited financial, annual basis.

Commented [AMG45]: §163.3177(f)(1)(b) and (1)(c) and (3)

**GOAL 3D: SUPPORT THE LOCATION OF GROUP HOMES IN APPROPRIATE LOCATIONS.**

Commented [AMG46]: Pursuant to §419.001, F.S.

Commented [AMG47]: §163.3177(f)(1)(d)

**OBJECTIVE 3.46:** ~~The County shall facilitate and allow group homes or foster care facilities, as licensed or funded by the Florida Department of Children and Family Services, within residential areas or areas of residential character. Support the location of community residential homes in areas that allow for residential development.~~

Commented [AMG48]: §163.3177(f)(1)(d)

**Policy 3.46.1:** Group homes of six or fewer residents which otherwise meet the definition of a community residential home shall be allowed in ~~land use categories that allow for single-family or multifamily uses~~ ~~zoning without development approval by the local government from county staff~~, provided that Policy 3.5.2 is met. ~~such homes shall not be located within a radius of 1,000 feet of another existing such home with six or fewer residents. Such homes with six or fewer residents shall not be required to comply with notification provisions of Section 419.001 F.S.; provided, however, that the sponsoring agency or the Department of Children and Family Services notifies the local government at the time of home occupancy that the home is licensed by the Department of Children and Family Services. This policy shall foster non-discrimination of these special needs groups.~~

Commented [AMG49]: §163.3177(f)(1)(d)

**Policy 3.6.2:** Group homes with six or fewer residents shall not be required to notify the local government when the home is in an area that allows for multi-family development; provided that the sponsoring agency provides the County with the most recently published data compiled from the licensing entity that identifies all community residential homes within the county in which the proposed site is to be located. Such data shall show that no other community residential home is within a radius of 1,000 feet of the proposed home with six or fewer residents in order to be permitted. Such data must be current no longer than six months prior of submittal to the county.

Commented [AMG50]: Moved into Policy 3.6.2

Commented [AMG51]: §419.001(3)

**Policy 3.46.2:** The County shall avoid concentrating group homes in order to maintain the existing ~~rural or residential~~ integrity and character of the area ~~subject to the agency request~~. A home that is located within a radius of 1,200 feet of another existing community residential home in a residential or agricultural zone shall be ~~deemed~~ an over concentration of such homes that substantially alters the nature and character of the area ~~and shall not be permitted~~. A home that is located within a radius of 500 feet of an area of single family residences substantially alters the nature and character of the area.

Commented [AMG52]: §163.3177(f)(1)(d)

**OBJECTIVE 3.5:** ~~The County shall continue to request grant funding for programs for the conservation, rehabilitation or demolition of condemned housing that have been declared an immediate threat to public safety by the Department of Building Inspection, along with housing that may be in need of repairs which have not been (and do not need to be) condemned. An average of 10 households per~~





~~year from 2000-2010 will be rehabilitated and/or relocated in the County to standard housing units.~~

~~Policy 3.5.1: The hazardous building ordinance shall require the conservation, rehabilitation or demolition of housing and other structures which pose a threat to public safety.~~

Commented [AMG53]: See Policy 3.4.1

~~Policy 3.5.2: The County shall apply for federal, state and/or private foundation housing assistance where it has been determined that the County has competitive standing in any ranking process for determining program award.~~

Commented [AMG54]: See Policy 3.3.2

### **GOAL 3D: PROMOTE GADSDEN COUNTY'S HISTORICALLY SIGNIFICANT HOUSING.**

**OBJECTIVE 3.67: The County shall adopt a Historic Preservation Ordinance to ensure that historically significant housing will be identified and protected for future uses by 2003. Identify and protect historically significant housing.**

**Policy 3.67.1:** The County shall assist in the identification, rehabilitation, improvement and adaptive reuse of historically significant housing through technical assistance and economic assistance programs such as grant applications, transfer of development rights, and designation of historically significant sites.

**Policy 3.67.2:** The County, through the ~~Department of Planning and Zoning~~ Planning and Community Development Department, will cooperate with the state and local historical organizations in their efforts to provide public information, education and technical assistance ~~to~~ regarding historic preservation programs.

**Policy 3.67.3:** The County shall continually update its files with all historic resources in the unincorporated areas as provided by the Florida Department of State, Division of Historical Resources.

Commented [AMG55]: §163.3177(f)(3)

**Policy 3.67.4:** The County shall encourage the maintenance, restoration or rehabilitation of historic structures through adaptive reuse, and permissive use for professional offices, home occupations studio operations, or residential purposes, on the Florida Art Trail ~~or residential purposes.~~

**OBJECTIVE 3.7: The County shall provide for a Uniform Relocation Assistance Program and Real Property Acquisition Policies for persons that may have been displaced by the County's action.**

**Policy 3.7.1:** ~~The County shall assure that reasonably located, standard housing at affordable costs is available to persons displaced through public action prior to their displacement.~~

Commented [AMG56]: Moved under Goal 3B. See Policy 3.3.6 and 3.3.7.

**OBJECTIVE 3.8: The County shall continue to support implementation of the housing assistance programs initiatives for the County.**



~~**Policy 3.8.1:** The County will continue to monitor each federal, state, and local subsidy program/activity identified for consideration in the implementation of the adopted housing element to ensure the timely initiation and participation in such designated housing implementation programs and activities.~~

**GOAL 3E: PROMOTE ENERGY EFFICIENCY WITHIN GADSDEN COUNTY.**

**Objective 3.8: Promote energy efficiency and the use of renewable energy in the construction or rehabilitation of housing.**

~~**Policy 3.8.1:** The County will consider incentives in the Land Development Code for residential construction that meets the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating system, the Green Building Initiative's Green Globes rating system, the Florida Green Building Coalition standards, or other national or state recognized high performance green building system.~~

~~**Policy 3.8.2:** Gadsden County shall promote the use of energy-efficient appliances and plumbing fixtures.~~

~~**Policy 3.8.3:** Staff shall supply educational materials on home energy reduction strategies and strategic placement of landscape materials to reduce energy consumption at the time of development order application or building permit application, as applicable.~~

**Commented [AMG57]:** These policies were required prior to the legislative changes during the 2011 session. These policies are no longer required.





## HOUSING ELEMENT

The purpose of this element is to provide guidance to the County to develop appropriate plans and policies to meet identified or projected deficits in the supply of housing for moderate income, low income, and very low income households, group homes, foster care facilities, and households with special needs.

### Development Limitations and Location of Land Uses

As Gadsden County does not provide public utilities such as potable water and sanitary sewer services, the location of residential uses is not necessarily dependent upon the location of public utilities. The local municipalities provide public water and sewer to housing within the respective city limit, and Talquin Electric provides limited potable water services. Therefore, the County can only guide residential development through the classification of land uses and density limitations.

### Historical Inventory of Housing Units

Gadsden County's historical housing inventory is shown in Table 4.1. The decade with the greatest number of residential home permits issued since 1940 was 1990 – 1999 with 20.5% of the total. The decade following that, 2000 – 2009, records the second greatest number of residential home permits issued with 17% of the total. Approximately 38.4% of the housing structures permitted within Gadsden County were permitted since 1990.

**Table 4.1 Gadsden Historical Housing Construction by Decade**

Year Structure Built	Number of Units	Percent of Total
2010 or later	176	0.9
2000 to 2009	3,320	17.0
1990 to 1999	3,999	20.5
1980 to 1989	3,192	16.4
1970 to 1979	2,366	12.1
1960 to 1969	1,830	9.4
1950 to 1959	1,932	9.9
1940 to 1949	1,330	6.8
1939 or earlier	1,244	6.4
<b>TOTAL</b>	<b>19,513</b>	

Source: U.S. Census, American Community Survey, 2012 data.



### Homes Built before 1939

According to Table 4.1, 6.4% of all year-round housing units within Gadsden County were built prior to 1939. Also, 6.8% of the total housing stock includes structures built from 1940 to 1950. Although these homes are now considered historic, there is no county-level study of the conditions of these homes. No assumptions are made here as to the condition, or even the existence, of these homes today.

### Local Residential Building Permit Data, by Year 2005 - 2012

From 2005 forward, more localized detailed data is available. Prior to that date county data was not automated and is not readily available. This information is tallied for the unincorporated portion of Gadsden County, Chattahoochee, and Havana, and therefore is only an indication of recent activity in these combined areas. Table 4.2 below depicts the more recent data concerning the issuance of residential construction permits issued by the Gadsden County Building Department.

**Table 4.2 Number of Construction Permits Issued in the County by Year, 2005-2012**

Type of Structure	2005	2006	2007	2008	2009	2010	2011	2012	Total
Manufactured/Modular	124	117	82	64	65	47	37	34	564
Site Built Construction	154	195	65	46	30	28	23	15	556
<b>Total</b>	<b>272</b>	<b>312</b>	<b>147</b>	<b>110</b>	<b>95</b>	<b>75</b>	<b>60</b>	<b>49</b>	<b>1,120</b>

Source: Gadsden County Department of Building Inspection, 2014

Note: Gadsden County Department of Building Inspection only issues permits for unincorporated Gadsden County, Chattahoochee, and Havana.

Note: Gadsden County will begin issuing building permits for Greensboro in 2014.

### Age of Existing Housing by jurisdiction

Table 4.3 shows that approximately one-third of the County's housing stock was built prior to 1960. This table also shows that 1990-1999 to be the busiest decade for new housing units. This corresponds with Table 4.1 above.

See following page for Table 4.3

Table 4.2 Housing Number and Percent of Total Stock, by Decade

Decade	Chattahoochee		Greensboro		Gretna		Havana		Midway		Quincy		Unincorporated		County Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
2010 or after	0	0.00%	0	0.00%	0	0.00%	0	0.00%	9	5.11%	0	0.00%	167	94.89%	176	
2000-2009	11	0.40%	34	1.23%	54	1.96%	137	4.96%	754	27.30%	270	9.78%	1,502	54.38%	2,762	
1990-1999	69	1.62%	72	1.69%	182	4.28%	133	3.13%	184	4.33%	287	6.75%	3,322	78.18%	4,249	
1980-1989	118	3.45%	33	0.97%	96	2.81%	208	6.09%	129	3.77%	318	9.30%	2,516	73.61%	3,418	
1970-1979	102	4.02%	73	2.86%	108	4.26%	195	7.69%	62	2.44%	602	23.74%	1,394	54.91%	2,536	
1960-1969	186	8.74%	8	0.38%	86	4.04%	104	4.89%	38	1.79%	544	25.56%	1,162	54.61%	2,128	
1950-1959	335	17.56%	69	3.62%	60	3.14%	116	6.08%	99	5.19%	553	28.98%	676	35.43%	1,908	
1940-1949	172	14.83%	24	2.07%	8	0.69%	111	9.57%	22	1.90%	495	42.67%	328	28.28%	1,160	
1939 or earlier	132	11.59%	30	2.63%	22	1.93%	85	7.46%	11	0.97%	293	25.72%	566	49.89%	1,139	

Source: U.S. Census, 2008 -2012 American Community Survey, 5-year Estimates



### Overview of Housing Characteristics

In 2012, the U.S. Census by production of the American Community Survey estimated there were 19,513 housing units in unincorporated Gadsden County. Of these, 13.7%, or 2,666, were vacant, which includes both owner-occupied and rental housing units. Of the total housing units, 86.3% were occupied. The unincorporated portion of the county had the highest occupied housing rate after the City of Quincy and the City of Midway.

**Table 4.4 Estimated Occupied/Vacant Housing Characteristics**

Place	Estimated Housing Units						
	Occupied	% of Total	Vacant	% of Total	Total	Vacant Seasonal	Seasonal Vacancy Rate of Total Units %
<b>Unincorporated County</b>	16,847	86.3%	2,666	13.7%	19,513	648	3.3%
Chattahoochee	910	81%	215	19.1%	1,125	85	7.6%
Greensboro	290	84.5%	53	15.5%	343	0	0%
Gretna	482	78.2%	134	21.8%	616	10	1.6%
Havana	889	81.6%	200	18.4%	1,089	24	2.2%
Midway	1,134	86.7%	174	13.3%	1,308	55	4.2%
Quincy	2,952	87.8%	410	12.2%	3,362	60	1.8%
Gadsden Total	23,504	86%	3,852	14.1%	27,356	882	3.2%

Source: U.S. Census, 2010-2012 American Community Survey, 3-Year Estimates.

The average single family home Just Value, based on Gadsden County Property Appraiser rates, was \$83,827 in 2012. The median home price in the same year was \$106,300 (Source: U.S. Census, 2010-2012 American Community Survey 3-Year Estimates). The Property Appraiser Just Value is defined by the Florida Administrative Code (12D-1.002) as "the price at which a property, if offered for sale in the open market, with a reasonable time for the seller to find a purchaser, would transfer for the cash or its equivalent, under prevailing market conditions between parties who have knowledge of the uses to which the property may be put, both seeking to maximize their gains and neither being in a position to take advantage of the exigencies of the other." The median home price is that which is the center point of all sales for that year.

According to the U.S. Census, 2010-2012 American Community Survey, 3-Year Estimates, 12,785 or 65.5% of the total housing stock was categorized as "1-unit detached". Another 5,181 units were categorized as "mobile home", or 26.6% of the total (Table 4.4). Therefore, approximately 92.1% of the total housing stock in unincorporated Gadsden County is either a single family detached home, or "mobile home" which includes manufactured homes.

### Multi-Family Housing

Housing in Gadsden County is predominantly single family with only a fraction of multi-family structures. Of the multi-family housing structures, most of these are either duplexes or quadruplex structures. Multi-family housing, or housing with 1-unit attached or greater, represented about eight (8) percent of the housing stock in Gadsden County in 2012.

**Table 4.5 Units in Structure**

Units in Structure	Estimate	Percentage of Total
1-unit, detached	12,785	65.5
1-unit, attached	168	0.9
2 units	255	1.3
3 or 4 units	505	2.6
5 to 9 units	412	2.1
10 to 19 units	68	0.3
20 or more units	111	0.6
Mobile Home	5,181	26.6
Boat, RV, van, etc.	28	0.1
Total	19,513	100%

Source: U.S. Census, 2010-2012 American Community Survey, 3-Year Estimates.

Note: Counts are for number of units, not number of structures.

### Manufactured Homes and Mobile Home Parks

Manufactured homes sales peaked in Gadsden County in 2006 and has steadily declined since that time. This pattern reflects the overall housing market in relation to the fluctuation of sales overall. Table 4.6 shows the mobile home sales in Gadsden County and each jurisdiction since 1990.

**Table 4.6 Number of Manufactured Home Sales 1990 – 2012**

Year of Sale	Number of Units							
	Chatt.	Greens.	Gretna	Havana	Midway	Quincy	Gadsden	Total
2012					1		11	12
2011		1					21	22
2010	1						19	20
2009					4		24	28
2008					2		32	34
2007			3				50	53
2006	1		1	1	4		74	84
2005			1		1		73	78
2004	1				2		62	68
2003					1		64	67



Year of Sale	Number of Units							
	Chatt.	Greens.	Gretna	Havana	Midway	Quincy	Gadsden	Total
2002			2		2		47	53
2001		1			1		36	43
2000				2	1		47	53
1999		1					46	47
1998							33	34
1997							30	31
1996		3					28	33
1995							38	38
1994							35	35
1993							22	22
1992							14	14
1991							10	10
1990							5	5

Source: Compiled by Shimberg Center; based on Gadsden County Property Appraiser tax rolls.

Note: Excludes units in mobile home parks.

The number of sales for years 1990-1998 are partial sales for the year.

Sales for 2012 are based on 1<sup>st</sup> quarter and partial 2<sup>nd</sup> quarter data.

As a comparison to the U.S. Census estimate of 5,181 "mobile" homes in Gadsden County, as of January 2014, the Gadsden County Property Appraiser has 3,327 parcels taxed as "mobile home" on the tax files. It is unknown however, how many homes may exist on each parcel.

According to the Florida Housing Data Clearinghouse, there are 10 licensed manufactured housing parks in Gadsden with 226 lots (2012). The Florida Housing Data Clearinghouse obtains the data on manufactured housing parks from the Florida Department of Business and Professional Regulation. The parks as listed on the Department of Business and Professional Regulation website are listed in Table 4.7

**Table 4.7 Licensed Manufactured/Mobile Home Parks in Gadsden County**

Project Name	Address	Status/Expires
Curve Crest Mobile Home Park	P.O. Box 931, Havana	Active/October 2014
East-West Mobile Home Park	1 Smith Circle, Gretna	Active/October 2014
Eastside Mobile Home Park	42 Betty Jean Court, Chattahoochee	Active/October 2014
Ellis Mobile Home Park	RT 5 Box 24, Quincy	Active/October 2014
Gadsden Estates	430 Atlanta Street, Quincy	Active/October 2014



Project Name	Address	Status/Expires
Hilltop Mobile Home Estates	1333 E. Jefferson St., Quincy	Active/October 2014
Home Trailer Park	2215 W. Jefferson St., Quincy	Active/October 2014
Palsgraaf Trailer Park	9 E. Marion St., Chattahoochee	Active/October 2014
Rentz Mobile Home Park	HWY 90 E., Route 6, Quincy	Active/October 2014
Tallahassee North Estates	100 Lealsch Loop, Havana	Delinquent/October 2014

Source: Florida Department of Business and Professional Regulation

### Allowable Sites for Manufactured Housing

Manufactured housing and mobile home housing, accounts for over twenty-six (26) percent of the housing stock within Gadsden County (Table 4.5). Manufactured housing are those structures as defined by the Florida Statutes §320.01(2) which states: "a mobile home fabricated on or after June 15, 1976, in an offsite manufacturing facility for installation or assembly at the building site, with each section bearing a seal certifying that it is built in compliance with the federal Manufactured Home Construction and Safety Standard Act." A mobile home is "a structure, transportable in one or more sections, which is 8 body feet or more in width and which is built on an integral chassis and designed to be used as a dwelling when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein."

Gadsden County no longer allows the placement of mobile homes, as defined by Florida Statutes. Manufactured homes are allowable in the Comprehensive Plan in any Agriculture or Rural Residential Future Land Use categories.

The County provides as many opportunities for the siting of manufactured homes as a site-built structure. In addition, manufactured homes are an allowable structure within "mobile" home parks.

### Group Residence Housing

Group housing includes community residential homes, assisted living facilities, foster care facilities, and other social service residential care facilities. The Comprehensive Plan allows for group homes in land use categories that allow for single-family or multi-family uses if the home has six or fewer residents.

Most of the group facilities are located within or adjacent to a municipal jurisdiction within Gadsden County. Table 4.8 lists the current group residence homes and capacities.

**Table 4.8 Group Residence Homes Gadsden County 2013**

Facility Name	Type	Capacity	Location
River Chase Care Center	Nursing Home	120	Quincy
Candie Richardson Adult Family Care Home	Care Home	5	Havana
Bell Road Human Services, Inc.	Assisted Living Facility	24	Havana
Byrds Haven	Assisted Living Facility	3	Havana
Helping Hands Foundation of Havana	Assisted Living Facility	24	Havana
Magnolia House	Assisted Living Facility	44	Quincy
<b>Total</b>		<b>220</b>	

Source: Florida Agency for Health Care Administration (AHCA), Division of Health Quality Assurance.

The Florida State Hospital under the Department of Children and Families in Chattahoochee has a current capacity of 959 beds (Source: myflfamilies.com). This facility not only maintains its own fire and security, it also maintains internal utilities. For the purposes of compiling this data and analysis, this facility is not considered.

### **Condominium Units**

According to the Florida Department of Business and Professional Regulation, there are no licensed condominium projects within Gadsden County. In addition, the Shimberg Center does not have any data regarding condominium projects within Gadsden County.

### **Inventory of Interior Conditions**

The American Community Survey Census data regarding the interior-housing conditions in Gadsden County were collected. Substandard housing conditions used here are those defined by the U.S. Census. The American Community Survey states "data about the number of occupants per room is used to measure the extent of overcrowding among our nation's households. A housing unit is often considered crowded if it has more than one person to a room."

As defined by the American Community Survey, complete kitchens are those with essential fixtures including a sink with piped water, a range, and a refrigerator. This data is used by the Housing and Urban Development (HUD) in the development of Fair Market Rents as shown elsewhere in this analysis.

Complete plumbing facilities are those with both hot and cold running water, a flush toilet, and a bathtub or shower. If a residence does not have all of these facilities, then it is considered "lacking complete plumbing facilities." Again, this data is used by HUD in the development of Fair Market Rents.

Finally, substandard indicators include the use of heating fuel, which includes electricity. The American Community Survey uses this as a basic indicator of the adequacy of the housing stock.



Table 4.9 shows the number percentages of total occupied residences that met the substandard criteria. This data indicates the greatest issue of substandard living conditions is the number of persons in relation to the number of rooms within the dwelling, or overcrowding that are within the unincorporated portion of Gadsden County.

**Table 4.9 Housing Unit Condition, Substandard Indicators 2012**

<b>Gadsden County</b>	<b>Total Occupied Units</b>	<b>1.51 or more persons per room</b>	<b>Share of Occupied Units</b>	<b>No Heating Fuel Used</b>	<b>Share of Occupied Units</b>	<b>Lacking Complete Kitchen Facilities</b>	<b>Share of Occupied Units</b>	<b>Lacking Complete Plumbing Facilities</b>	<b>Share of Occupied Units</b>
Chattahoochee	910	23	0.02%	0	0.0%	11	0.012%	5	0.0%
Greensboro	290	0	0.0%	20	0.7%	0	0.0%	2	0.0%
Gretna	482	14	0.02%	0	0.0%	3	0.0%	3	0.0%
Havana	889	0	0.0%	9	0.0%	0	0.0%	0	0.0%
Midway	1,134	62	0.05%	0	0.0%	0	0.0%	0	0.0%
Quincy	2,952	78	0.3%	24	0.0%	8	0.0%	37	0.01%
<b>Unincorporated</b>	<b>16,847</b>	<b>640</b>	<b>3.8%</b>	<b>50</b>	<b>0.3%</b>	<b>135</b>	<b>0.8%</b>	<b>50</b>	<b>0.3%</b>
<b>County Total</b>	<b>23,504</b>	<b>817</b>	<b>3.5%</b>	<b>103</b>	<b>0.4%</b>	<b>157</b>	<b>0.7%</b>	<b>97</b>	<b>0.4%</b>

Source: U.S. Census, American Community Survey, 3-year estimates 2010-2012 for Gadsden County and 2008-2012 American Community Survey 5-year estimates for all cities.

### Government Assisted Housing

In 2012 the annual mean household income in Gadsden County was \$18,183, compared to the Florida annual mean household income of \$26,451. (Source: U.S. Census Bureau: State and County QuickFacts) For this same period, the median annual household income is \$35,593. (Source: U.S. Census Bureau, 2010 -2012 American Community Survey 3-Year Estimates) A number of housing programs operate to meet the housing needs of economically disadvantaged residents in the County. As shown in Table 4.10 a total of 988 housing units in the County are federally assisted.

**Table 4.10 Federally Subsidized/Assisted Housing in Gadsden County 2013**

<b>Project Name</b>	<b>Location</b>	<b>Program(s)</b>	<b>Units</b>
Flint Garden Apartments	Chattahoochee	Rental Assistance HUD; Section 207/223.	88
River Junction Apartments	Chattahoochee	Rental Assistance/RD; Section 515	35
Lanier Oaks	Gretna	SAIL	22
Vanguard Village	Gretna	Rental Assistance/RD; Section 514/516	50
Dogwood Manor	Havana	Housing Credits 9%; Rental Assistance/RD; Section 515	38
Havana Apartments	Havana	Conventional Public Housing	14

Project Name	Location	Program(s)	Units
Havana Heights Apartments	Havana	Rental Assistance/HUD	60
Riverside Apartments	Havana	Rental Assistance/HUD; Section 515	50
Ochlokonee Pointe	Midway	Housing Credits 9%	96
Arbor Crest	Quincy	Housing Credits 9%	120
Gadsden Arms Apartments	Quincy	Housing Credits 9%; Rental Assistance	100
Golden Leaf Apartments	Quincy	Rental Assistance/RD; Section 515	35
Green Meadows Apts	Quincy	Rental Assistance/RD; Section 515	36
Greenwood Terrace	Quincy	Rental Assistance/RD; Section 515	36
Omega Villas	Quincy	Rental Assistance/RD; SAIL; Section 515	56
Parkview Garden Apartments	Quincy	Rental Assistance/HUD; Section 515	70
Parkview Manor	Quincy	Rental Assistance/HUD; Section 514/516	36
Triple Oaks	Quincy	Rental Assistance/RD; Section 515	79
		<b>Total</b>	<b>988</b>

Source: Shimberg Center for Housing Studies, AHNA

The primary federal agency operating housing programs in the county is the U.S. Department of Housing and Urban Development (HUD). One of the programs this agency funds is the Section 8 Rental Housing Subsidy. In 2012 there were 226 Section 8 housing vouchers distributed in Gadsden County. In the Section 8 program the tenant pays no more than 30 percent of the household income in rent. Conventional low rent public housing also operated by HUD provides 14 units of housing in the County. These vouchers are issued county-wide and locational information is not available.

Two other housing programs utilized within the county are the Community Development Block Grant (CDBG) and the State Housing Initiatives Program Homebuyer Assistance Program, (SHIP, HAP). The CDBG program involves essentially the rehabilitation of housing units for low-income households, while SHIP assists very low-, low-, and moderate-income residents to become homeowners by providing low interest, fixed loans. Between the 1992/1993 and 2012/2013 fiscal years over 258 housing units have been newly constructed or rehabilitated through these two programs. Note that this number is conservative due to a gap in data between 1997/1998 fiscal year and the 2004/2005 fiscal year. Table 4.11 provides a breakdown of housing actions that were completed through the CDBG and SHIP programs on a fiscal year by fiscal year basis. Experience in Gadsden County demonstrates that replacement construction is generally more cost effective per unit than rehabilitation of existing units.



Table 4.11 Housing Renewal and Rehabilitation 1992 - 2013

Fiscal Year	New SF Units	Rehabilitated SF Units	Temporary Relocation	Purchase Assistance	Foreclosure Prevention	Total
Community Development Block Grant (CDBG)						
1992/1993	23	21	0	0	0	44
1993/1994	18	18	0	0	0	36
1994/1995	18	18	0	0	0	36
1995/1996	0	15	0	0	0	15
1996/1997	24	0	0	0	0	24
2005/2006	0	21 <sup>1</sup>	0	0	0	21 <sup>1</sup>
2006/2007	0	21 <sup>1</sup>	0	0	0	21 <sup>1</sup>
2007/2008	0	21 <sup>1</sup>	0	0	0	21 <sup>1</sup>
State Housing Initiatives Partnership (SHIP)						
2008/2009	0	23	0	19	3	45
2009/2010	0	13	0	6	0	19
2010/2011	0	0	0	0	0	0
2011/2012	0	16	0	0	0	16
2012/2013	0	2	0	0	0	2

Source: Gadsden County Community Development Administration

<sup>1</sup> These 21 rehabilitated units were funded through a CDBG awarded over the three year period of 2005-2008.

Note: Between 96/97 and 05/06 either no data was reported or no data is available.

### Rental Housing

The information in Tables 4.12 and 4.13 indicates the market rent for the renter-occupied housing units in the Tallahassee, FL Housing and Urban Development Metro Fair Market Rent Area, which includes Gadsden County with Jefferson and Leon Counties as well. The rent charged was between \$717 and \$1,604. The HUD fair market rental housing information provided is somewhat skewed for Gadsden County since the data is compiled from the Tallahassee Metropolitan Statistical Area, where rents tend to be higher.

Table 4.12 Overview of Housing Value and Cost Characteristics

Housing Units <sup>1</sup>	% Housing Units Occupied <sup>1</sup>	Home-Ownership Occupancy Rate <sup>1</sup>	Average SF Home Just Value <sup>2</sup>	HUD Fair Market Rent by # Bedrooms <sup>3</sup>				
				Efficiency	1 BD	2 BD	3 BD	4 BD
19,513	16,847	72.7%	\$83,827	\$717	\$762	\$920	\$1,179	\$1,604

Source:

<sup>1</sup> U.S. Census 2010-2012 American Community Survey Estimate.<sup>2</sup> Shimberg Center for Housing Studies, Florida Housing Data Clearinghouse, based upon Gadsden County Property Appraiser data (2012).<sup>3</sup> U.S. Housing and Urban Development, (2013 final numbers)[http://www.huduser.org/portal/datasets/fmr/fmrs/FY2013\\_code/2013summary.odn](http://www.huduser.org/portal/datasets/fmr/fmrs/FY2013_code/2013summary.odn)

NOTE: SF = single family

Table 4.13 depicts the fair market rent for 2013 by number of bedrooms, for those housing units within the Tallahassee HUD Metropolitan Area.

**Table 4.13**

<b>Final FY 2013 Fair Market Rents by # Bedrooms</b>				
Efficiency	One-Bedroom	Two-Bedroom	Three-Bedroom	Four-Bedroom
\$717	\$762	\$920	\$1,179	\$1,604

Source: U.S. Housing and Urban Development

[http://www.huduser.org/portal/datasets/fmr/fmrs/FY2013\\_code/2013summary.odn](http://www.huduser.org/portal/datasets/fmr/fmrs/FY2013_code/2013summary.odn)

As shown above, the 2013 median rental cost for the Tallahassee, Florida HUD Metro Fair Market Rent Area, which includes Gadsden County, is \$920 for a two-bedroom unit. A more accurate representation of Gadsden County rents is shown in the U.S. Census, 2010-2012 American Community Survey 3-Year Estimates, and is \$674.00 for a median rent (Table 4.14). As the Tallahassee metro area has higher rents than that of Gadsden, the HUD figures are skewed.

Other area median rents are as follows and are derived from the U.S. Census, 2008-2012 American Community Survey 5-Year Estimates.

Chattahoochee Median Gross Rent: \$641.00.

Greensboro Median Gross Rent: \$713.00.

Gretna Median Gross Rent: \$890.00.

Havana Median Gross Rent: \$677.00.

Midway Median Gross Rent: \$824.00.

Quincy Median Gross Rent: \$726.00.

Table 4.14 lists the number of occupied housing units paying rent by cost, 2012. This table shows that the largest percentage of rent charged within Gadsden County is the \$500.00 - \$749.00 range.

**Table 4.14 Number of Occupied Units Paying Rent, Gadsden County, 2012**

<\$200	\$200-\$299	\$300-\$499	\$500-\$749	\$750-\$999	\$1,000-\$1,499	\$1,500 or more	No Cash Rent	Total
137	167	938	1,096	790	779	36	663	3,943

Source: U.S. Census American Community Survey Three Year Estimates 2010-2012.

Table 4.15 below shows the number of households as compared to the gross rent, 2010-2012 estimates, by jurisdiction. Gross rent is defined by the U.S. Census Bureau as "the monthly amount of rent plus the estimated average monthly cost of utilities including electricity, gas, water and sewer, and fuels such as oil, coal kerosene, and wood." As noted above, according to the U.S. Census American Community Survey, the median dollar amount paid in rent in Gadsden County is \$674.00.



**Table 4.15 Gross Rent 2012 Jurisdictional Comparison**

Amount	Estimated Number							County Total
	Chatta-hoochee	Greens-boro	Gretna	Havana	Midway	Quincy	Unincorp. Gadsden	
< \$200	27	0	6	23	0	0	137	<b>193</b>
\$200 - \$299	6	0	0	23	0	0	167	<b>196</b>
\$300 - \$499	16	0	9	9	8	134	938	<b>176</b>
\$500 - \$749	102	70	4	97	55	334	1,096	<b>1,758</b>
\$750 - \$999	32	10	8	26	79	237	790	<b>1,182</b>
\$1,000 - \$1,499	46	14	4	39	24	156	779	<b>1,020</b>
\$1,500 or more	7	0	16	0	0	0	36	<b>59</b>
NO CASH RENT	134	63	102	37	50	225	663	<b>1,274</b>
TOTAL PAYING RENT	<b>236</b>	<b>94</b>	<b>47</b>	<b>217</b>	<b>166</b>	<b>861</b>	<b>3,943</b>	<b>5,564</b>

Source: City information is U.S. Census American Community Survey 2008-2012 estimates. County information is U.S. Census American Community Survey 2010-2012 estimates.

Of the 5,564 rental units in all of Gadsden County, seven (7) percent had monthly gross rents below \$300.00, while an additional three (3) percent fell within the \$300.00 - \$499.00 range. Compare this to the unincorporated portion of the county with 7.7 percent with monthly gross rents below \$300.00 and an additional 23.8 percent falling between the \$300.00 - \$499.00 range. This shows that percentage-wise, monthly gross rents paid are less in the unincorporated portion of the county than within the municipal limits.

### **Housing Value**

The Shimberg Center reports median home sales prices in its Florida Housing Data Clearinghouse for single family homes based on Florida Department of Revenue state data files. Table 4.16 shows the historical Gadsden County figures from 1996 through 2012. This table shows that during the real estate boom of the 2007/2008 years, Gadsden County experienced the same rise in home values as was the trend at the time. The year with the highest median sales price for a single family home was 2007 at \$164,000.

**Table 4.16 Historical Median Sales Price for Single Family Homes, 1996 – 2012**

Year	Median Price
2012	\$120,000
2011	\$134,450
2010	\$140,000
2009	\$150,000
2008	\$150,450
2007	\$164,000
2006	\$150,000
2005	\$128,928
2004	\$112,000
2003	\$90,400
2002	\$83,000
2001	\$82,000
2000	\$68,250
1999	\$69,900
1998	\$73,000
1997	\$75,000
1996	\$62,800

Source: Shimberg Center for Housing Studies, Florida Housing Data Clearinghouse, 2012 data  
<http://flhousingdata.shimberg.ufl.edu/a/profiles?action=results&nid=1900>

Table 4.17 below shows the 2012 number of occupied housing units by value, jurisdiction, and the county at large. This table does not discriminate among housing types and therefore includes manufactured homes and site-built homes.

The largest number of housing units is grouped in the \$200,000 - \$249,000 range at the unincorporated county subset, and \$150,000 - \$174,000 range at the county at large subset.



Table 4.17 2012 General Value of Occupied Housing

VALUE	Chattahoochee	Greensboro	Gretna	Havana	Midway	Quincy	Uninc.	Total
<\$10,000	8	0	14	0	0	44	207	273
\$10,000-\$14,999	5	0	0	0	45	33	108	191
\$15,000-\$19,999	0	0	3	0	0	0	125	128
\$20,000-\$24,999	9	0	8	8	0	87	135	247
\$25,000-\$29,999	17	5	41	21	11	17	245	357
\$30,000-\$34,999	11	3	5	0	7	11	233	270
\$35,000-\$39,999	10	0	11	5	26	17	117	186
\$40,000-\$49,999	47	10	51	6	8	99	280	501
\$50,000-\$59,999	32	0	28	5	4	78	403	550
\$60,000-\$69,999	65	4	25	13	17	91	289	504
\$70,000-\$79,999	35	9	31	27	51	184	459	796
\$80,000-\$89,999	23	36	16	38	14	163	456	746
\$90,000-\$99,999	54	5	20	21	40	34	389	563
\$100,000-\$124,999	63	17	53	57	57	176	670	1,093
\$125,000-\$149,999	20	42	3	79	145	130	472	891
\$150,000-\$174,999	81	14	11	52	183	337	583	1,261
\$175,000-\$199,999	28	0	3	40	94	43	220	428
\$200,000-\$249,999	0	0	7	37	12	206	644	906
\$250,000-\$299,999	15	19	3	45	61	53	497	693
\$300,000-\$399,999	12	0	0	89	61	63	418	643
\$400,000-\$499,999	0	0	0	8	0	0	180	188
\$500,000 >	5	0	0	9	8	0	224	246
<b>Total</b>	<b>540</b>	<b>164</b>	<b>33</b>	<b>560</b>	<b>844</b>	<b>1,866</b>	<b>7,354</b>	<b>11,661</b>

Source: American Community Survey, 2008-2012 5 year averages.

Table 4.18 below further defines home value by type of value, type of structure, and by jurisdiction. In this section, just values and assessed values are reported. A just value of a property is the fair market value of the property as of January 1<sup>st</sup> of the current tax year, as determined by the Property Appraiser, as discussed on page three of this report. The assessed value is the value of the property after applying any laws that require the property to be assessed at less than the just value (such as agriculture property classifications or the constitutional caps on increases in the assessment of homestead and certain commercial properties). (Source: propertytaxinflorida.com)

**Table 4.18 Value of Housing by Type of Structure and Place**

Type of Value	Type of Structure	Place							
		Chatta.	Greens.	Gretna	Havana	Midway	Quincy	Unincor.	Gadsden (All)
<b>Mean Assessed Value (\$)</b>	SF home	45,332	46,725	36,784	79,665	101,850	58,302	91,861	78,185
	Mobile Home	26,561	22,537	25,282	29,726	37,964	24,583	39,336	38,226
	MF 9 or less	37,216	66,432	39,162	39,452	55,194	62,951	56,191	55,350
	MF 10 or more	611,149	103,903	854,607	0	1,194,455	1,194,850	987,329	944,455
<b>Median Assessed Value (\$)</b>	SF home	40,630	40,558	31,284	67,570	109,355	50,626	75,917	63,244
	Mobile Home	22,055	19,719	21,651	26,384	37,139	25,342	34,231	33,045
	MF 9 or less	30,749	66,432	39,525	42,823	49,852	56,421	41,389	49,802
	MF 10 or more	368,670	103,903	854,607	0	1,194,455	1,243,187	714,251	637,233
<b>Mean Just Value (\$)</b>	SF home	48,779	50,277	42,691	85,754	103,709	61,976	99,696	86,827
	Mobile Home	26,769	22,537	25,320	30,517	38,276	25,109	40,900	39,628
	MF 9 or less	37,216	72,664	39,162	39,452	56,990	62,955	61,917	57,624
	MF 10 or more	611,189	109,903	854,607	0	1,209,767	1,194,850	987,329	945,913
<b>Median Just Value (\$)</b>	SF home	43,217	43,776	360,115	71,196	109,896	55,628	84,209	69,412
	Mobile Home	22,055	19,719	21,651	26,384	37,683	25,342	35,379	34,293
	MF 9 or less	30,744	72,664	39,525	42,826	49,852	56,421	43,418	49,852
	MF 10 or more	368,670	103,903	854,607	0	1,209,767	1,243,187	714,251	637,233
<b>Total Assessed Value (\$mils.)</b>	SF home	36	7	11	55	89	151	489	837
	Mobile Home	2	1	3	1	6	0	114	127
	MF 9 or less	0	0	0	0	1	2	2	5
	MF 10 or more	2	0	1	0	2	5	10	20
<b>Total Just</b>	SF home	39	7	12	59	90	161	529	897



Type of Value	Type of Structure	Place							
		Chatta.	Greens.	Gretna	Havana	Midway	Quincy	Unincor.	Gadsden (All)
Value (\$mils.)	Mobile Home	2	1	3	1	6	0	119	131
	MF 9 or less	0	0	0	0	1	2	2	6
	MF 10 or more	2	0	1	0	2	5	10	20

Source: Compiled by Shimberg Center for Housing Studies, Florida Housing Data Clearinghouse; Gadsden County Property Appraiser 2012 final tax rolls.

### **Analysis of Affordability**

The affordability of housing is outlined in Florida Statutes (§420.0004). This section of the statutes defines “affordable” where “the monthly rents or monthly mortgage payments including taxes, insurance, and utilities do not exceed thirty (30) percent of that amount which represents the percentage of the median adjusted gross annual income for the households.” Comprehensive Plan Policy 3.1.1 adopts all definitions from Florida Statutes into the Plan by reference. The following additional definitions shall apply when determining the affordability of housing in Gadsden County:

“Extremely-low-income persons” means one or more natural persons or a family whose total annual household income does not exceed 30 percent of the median annual adjusted gross income for households within the state. The Florida Housing Finance Corporation may adjust this amount annually by rule to provide that in lower income counties, extremely low income may exceed 30 percent of area median income and that in higher income counties, extremely low income may be less than 30 percent of area median income.

“Very-low-income persons” means one or more natural persons or a family, not including students, the total annual adjusted gross household income of which does not exceed 50 percent of the median annual adjusted gross income for households within the state, or 50 percent of the median annual adjusted gross income for households within the metropolitan statistical area (MSA) or, if not within an MSA, within the county in which the person or family resides, whichever is greater.

“Low-income persons” means one or more natural persons or a family, the total annual adjusted gross household income of which does not exceed 80 percent of the median annual adjusted gross income for households within the state, or 80 percent of the median annual adjusted gross income for households within the metropolitan statistical area (MSA) or, if not within an MSA, within the county in which the person or family resides, whichever is greater.

“Moderate-income persons” means one or more natural persons or a family, the total annual adjusted gross household income of which is less than 120 percent of the median annual adjusted gross income for households within the state, or 120 percent of the median annual adjusted gross income for households within the metropolitan statistical area (MSA) or, if not within an MSA, within the county in which the person or family resides, whichever is greater.

### Monthly Cost Burden of Occupied Housing Units

Table 4.19 below projects the cost burden based upon household income for owners and renters (tenure) within Gadsden County from 2000 to 2030. Housing tenure is sometimes used in research as a proxy for income or wealth, and can be an indicator for neighborhood stability as owner-occupied units are generally occupied by less transient persons. The Area Median Income (AMI) is used in the calculations below.

**Table 4.19 Projections of Households by Tenure, Household Income and Cost Burden, Gadsden County, 2000 - 2030**

Household Income, Owner - 2000								
30.01-50% AMI			50.1-80% AMI			80.01-120% AMI		
Cost Burden			Cost Burden			Cost Burden		
<=30%	30.01-50%	50.01+%	<=30%	30.01-50%	50.01+%	<=30%	30.01-50%	50.01+%
866	344	261	1,825	590	209	1,461	297	62
Household Income, Renter - 2000								
30.01-50% AMI			50.1-80% AMI			80.01-120% AMI		
Cost Burden			Cost Burden			Cost Burden		
<=30%	30.01-50%	50.01+%	<=30%	30.01-50%	50.01+%	<=30%	30.01-50%	50.01+%
442	203	25	765	76	N/A	368	N/A	N/A
Household Income, Owner - 2010								
30.01-50% AMI			50.1-80% AMI			80.01-120% AMI		
Cost Burden			Cost Burden			Cost Burden		
<=30%	30.01-50%	50.01+%	<=30%	30.01-50%	50.01+%	<=30%	30.01-50%	50.01+%
996	383	292	2,074	638	230	1,612	322	68
Household Income, Renter - 2010								
30.01-50% AMI			50.1-80% AMI			80.01-120% AMI		
Cost Burden			Cost Burden			Cost Burden		
<=30%	30.01-50%	50.01+%	<=30%	30.01-50%	50.01+%	<=30%	30.01-50%	50.01+%
470	209	26	793	79	N/A	382	N/A	N/A
Household Income, Owner - 2020								
30.01-50% AMI			50.1-80% AMI			80.01-120% AMI		
Cost Burden			Cost Burden			Cost Burden		
<=30%	30.01-50%	50.01+%	<=30%	30.01-50%	50.01+%	<=30%	30.01-50%	50.01+%
1,215	443	338	2,479	680	260	1,807	351	75
Household Income, Renter - 2020								
30.01-50% AMI			50.1-80% AMI			80.01-120% AMI		
Cost Burden			Cost Burden			Cost Burden		
<=30%	30.01-50%	50.01+%	<=30%	30.01-50%	50.01+%	<=30%	30.01-50%	50.01+%
505	218	26	816	82	N/A	387	N/A	N/A
Household Income, Owner - 2030								
30.01-50% AMI			50.01-80% AMI			80.01-120% AMI		
Cost Burden			Cost Burden			Cost Burden		
<=30%	30.01-50%	50.01+%	<=30%	30.01-50%	50.01+%	<=30%	30.01-50%	50.01+%
1,426	500	386	2,870	717	287	1,990	375	82



Household Income, Renter - 2030								
30.01-50% AMI			50.01-80% AMI			80.01-120% AMI		
Cost Burden			Cost Burden			Cost Burden		
<=30%	30.01-50%	50.01+%	<=30%	30.01-50%	50.01+%	<=30%	30.01-50%	50.01+%
549	228	29	851	86	N/A	400	N/A	N/A

Source: Shimberg Center for Housing Studies, AHNA 2014

Table 4.20 below shows the historical and estimated projections comparison between owner and renter-occupied dwelling units within unincorporated Gadsden County, each jurisdiction, and the county as a whole.

**Table 4.20 Historic and Projections of Household Demographic Data by Tenure**

Place	2000		2010		2020		2030	
	Owner	Renter	Owner	Renter	Owner	Renter	Owner	Renter
Chattahoochee	623	418	766	321	879	208	864	148
Greensboro	141	72	127	72	123	77	123	82
Gretna	404	106	420	105	429	94	434	91
Havana	488	178	525	183	587	195	642	203
Midway	389	94	422	107	508	130	613	165
Quincy	1,867	781	1,853	833	1,789	854	1,739	848
Unincorporated	8,330	1,944	9,490	2,139	11,176	2,379	12,852	2,640
<b>County Total</b>	<b>12,242</b>	<b>3,593</b>	<b>13,603</b>	<b>3,760</b>	<b>15,491</b>	<b>3,937</b>	<b>17,267</b>	<b>4,177</b>

Source: Estimate and projections by Shimberg Center for Housing Studies, based on 2000 and 2010 U.S. Census data and population projections by the Bureau of Economic and Business Research, University of Florida.

The percentages of owner/renter projections for unincorporated Gadsden County are then as follows:

**Table 4.21 Historic and Projections of Household Demographic Data by Tenure, by Percentage for Unincorporated Gadsden County**

Place	2000		2010		2020		2030	
	Owner	Renter	Owner	Renter	Owner	Renter	Owner	Renter
Unincorporated	81.1%	18.9%	81.6%	18.4%	82.4%	17.6%	83.0%	17.0%

Source: Gadsden County Planning Division and Table 4.20

The Census Bureau, 2010 – 2012 American Community Survey 3-Year Estimates reports that in 2012 the median household income in Gadsden County was \$35,593; based on this figure and the cumulative data provided in Table 4.19, Table 4.22 shows the projected number of available lower-income rental and owner-occupied units in the County. These figures are based upon the definition of “affordability” as discussed earlier in this report, or where housing costs are projected to be over thirty (30) percent of the household income. Therefore, those figures reported as “<=30% of AMI” of the cost burden of the household income were not included in the table.

**Table 4.22 Total Projection of Need for Lower-Income Housing Units, Unincorporated Gadsden County, 2010 - 2030**

	<i>Income Limits</i>	Owner-occupied Units			Renter-occupied Units		
		2010	2020	2030	2010	2020	2030
30-50% of AMI =	\$10,678-\$17,796	675	781	886	235	244	257
50-80% of AMI =	\$17,797-\$28,473	868	940	1,004	79	82	86
80-120% of AMI =	\$28,474-\$42,712	390	426	457	N/A	N/A	N/A
<b>TOTAL</b>		<b>1,933</b>	<b>2,147</b>	<b>1,890</b>	<b>314</b>	<b>326</b>	<b>343</b>

Source: Gadsden County Planning Division, 2014 and Table 4.19

**Estimated Housing Need**

Using the 2012 Florida Bureau of Business and Economic Research data (medium range population projections), the County's population, including jurisdictions, is projected to grow from 46,389 in 2010 to 47,200 in 2020, a modest increase of 811 people, or 1.75 percent. This projection also includes persons housed in group homes, and not only household population.

Table 4.23 depicts the historical population growth within unincorporated Gadsden County since 1940. These figures include persons in group homes. This table shows that Gadsden County has gained and lost population over the years. Specifically, a large decline in population occurred in the decade preceding 1950. However, between 1990 and 2000 the County's population grew at a substantial rate.

**Table 4.23 Historical Population Growth in Unincorporated Gadsden County**

Year	Population	Percent Change
2010	27,945	-5%
2000	29,331	18.1%
1990	24,022	4.9%
1980	22,850	15.6%
1970	19,285	-3.5%
1960	19,970	3.5%
1950	19,280	-17.6%
1940	22,676	

Source: Bureau of Economic and Business Research, University of Florida



For the purpose of the projections below, the years 2020 and 2030 have established baseline rates of change for measures of household size, housing supply and housing demand. For the household size rate of change, the rate of decline is established at 0.08 persons per decade as this was the actual change seen between 2000 and 2010. This baseline has been selected as it is more indicative of the slower declines in household size than that of an average of decline between 1970 and 2010. For this reason, the actual rates of change for household size for 2020 and 2030 are simply declines of .08 persons per decade resulting in projected household sizes of 2.53 persons and 2.46 persons for 2020 and 2030, respectively. The household size is used to determine future housing demand.

The housing supply projections are derived as a sum of the tenure projections from Table 4.20.

It should be noted that the overall trends of the local community over the previous half century is a slowing rate of growth in population, a slowly declining household size, and a modest increase in housing supply and demand with supply continuing to exceed demand. This is additionally supported by data that shows the migration of persons to urbanized areas.

It is important to note that in determining population projections for the housing analysis of need within the unincorporated portion of the County, the analysis below only considers household populations, and does not include populations within group homes.

The projections of household population for years 2020 and 2030 are based upon the percentage of the unincorporated county population for 2000 (65%) and 2010 (63%). This net decrease is projected to the future years at a 2% rate. Population projections are further defined in the Future Land Use Element data and analysis.

**Table 4.24 Housing Projections for Unincorporated Gadsden County**

Year	Household Population	Household Size	Housing Supply in units	Housing Demand units	Delta
2000	27,948	2.69	10,274	10,389	-115
2010	27,831	2.61	11,629	10,663	966
2020	28,641	2.53	11,321	11,490	-169
2030	28,567	2.46	11,613	12,165	-552

Note: 2000 and 2010 data is historical, other data is projected.

Source: U.S. Census Bureau for 2000 and 2010 population data; Table 4.20, and Gadsden County Planning Division analysis.

Although the population in Gadsden County is projected to remain virtually stable or in decline, the analysis depicts a deficit in housing supply in years 2020 and 2030. This is primarily based upon the projected smaller household sizes as a relation to the historic decline in household sizes.



**Historically Important Housing Inventory**

The exhibits in this section of this data and analysis show those structures listed on the Florida Master Site File and those listed on the National Register of Historic Places. Age eligibility criterion for the National Register is that a structure must have been constructed generally more than fifty (50) years or more. In addition, single nominations, opposed to a district nomination, must meet other criteria such as historical significance. The National Register includes archaeological sites, historical structures, historical cemeteries, historical bridges and historical districts. The Florida Master Site File is an active inventory of Florida's historical cultural resources that are over 50 years old, without regard to historical significance. A site may be listed on the Florida Master Site File, but not the National Register of Historic Places.

The state historic preservation office in Florida is within the Department of State, Division of Historic Resources. The Bureau of Historic Preservation manages the Florida Master Site File. This file is the state's official inventory of historical and cultural resources.

There are no historic districts within unincorporated Gadsden County.

The Florida Department of Historical Resources lists 634 existing sites on the Florida Master Site File (January 2014). These include residential, commercial, historic barns, and religious structures. Of those fifteen (15) are also on the National Register of Historic Places (See Table 4.26).

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**Table 4.26 Gadsden County Structures Listed on the National Register of Historic Places**

Name of Site	Purpose	Subject	Location	Place	NPS Reference Number	Date Listed
Gregory Willoughby House	Event	Agriculture	HWY 274 and Krausland Road	County	83003520	Dec 16, 1983
Quincy Women's Club	Event	Education/ Social History	300 N. Calhoun Street	Quincy	75000555	March 10, 1975
E.C. Love House	Architecture/ Engineering	Architecture	219 N. Jackson Street	Quincy	74000626	Dec 30, 1974
Quincy Library	Event	Education	303 N. Adams Street	Quincy	74000628	Sept 9, 1974
Judge P.W. White House	Event	Politics/ Government	212 N. Madison Street	Quincy	72000319	Dec 5, 1972
E.B. Shelfer House	Architecture/ Engineering	Architecture	205 N. Madison Street	Quincy	75000556	April 4, 1975
Stockton-Curry House	Architecture/ Engineering	Architecture	121 N. Duval Street	Quincy	74000629	Dec 31, 1974
John Lee McFarlin House	Architecture/ Engineering	Person/ Agriculture	305 E. King Street	Quincy	74000627	Dec 12, 1974
Dr. Malcolm Nicholson Farmhouse	Event	Person/ Agriculture	HWY 12, N. side, West of Havana	County	94001272	October 28, 1994
Planter's Exchange, Inc.	Event	Commerce/ Industry	204 2nd Street, NW	Havana	99001147	Sept 17, 1999
Joshua Davis House	Architecture/ Engineering	Exploration/ Settlement	2.5 mi NW of Mt. Pleasant on HWY 90	County	75000554	May 21, 1975
U.S. Arsenal - Officers Quarters	Event	Health/ Medicine/ Military	Florida State Hospital, U.S. 90	Chattahoochee	73000578	July 2, 1978
Dezell House	Architecture/ Engineering	Person/Prairie School	328 E. 8th Street	Greensboro	6000358	May 10, 2006
Gretna School	Event	Social History	722 Church Street	Gretna	8000502	June 10, 2008
Old Philadelphia Presbyterian Church	Architecture/ Engineering	Religion	N. Madison Street	Quincy	75000557	February 24, 1975

Source: Florida Department of State, Division of Historical Resources, Bureau of Historic Preservation, January 2014





# Florida Statutory Requirements

Housing Element - §163.317(f)		
	Statutory Reference	Policy
1.a.	Provision of housing for all current and anticipated future residents of the jurisdiction.	Goal 3A; Policy 3.1.7; Policy 3.1.8; Policy 3.1.9
1.b.	The elimination of substandard dwelling conditions.	Goal 3B; Objective 3.3; subsequent policies; Policy 3.5.2
1.c.	Structural and aesthetic improvement of existing housing.	Objective 3.3; Policy 3.3.1; 3.3.2; Policy 3.5.2
1.d.	Provision of adequate sites for future housing	Policy 3.1.8; Policy 3.1.9
	Including affordable workforce housing	Policy 3.1.3
	Housing for low-income, very low-income, and moderate-income families	Policy 3.2.7; Policy 3.3.3
	Provision for mobile homes	Policy 3.3.9; 3.3.10; 3.3.12; 3.3.14; 3.3.15
1.e.	Provision for group homes and facilities and foster care facilities	Goal 3D; Objective 3.6; subsequent policies
	May include provisions to address housing for persons 60 years or older.	Policy 3.4.3
	Provision for relocation housing	Policy 3.3.6; 3.3.7; 3.3.8
	Identification of historically significant and other housing for purposes of conservation, rehabilitation, or replacement.	Goal 3D; Objective 3.6; subsequent policies
1.f.	Formulation of housing implementation programs	Policy 3.1.2; Policy 3.1.6
1.g.	Creation or preservation of affordable housing to minimize the need for additional local services	Policy 3.1.3; Policy 3.5.1
2.	Avoid the concentration of affordable housing units only in specific areas of the jurisdiction.	Policy 3.1.7
	Speaks to data and analysis requirements	completed
3.	Express principles, guidelines, standards and strategies that reflect the creation and preservation of affordable housing for all current and anticipated future residents of the jurisdiction.	Goal 3A; Objectives 3.1 and 3.2 and subsequent policies.
	Elimination of substandard housing conditions.	Goal 3B; Objective 3.2; subsequent policies; Policy 3.5.2
	Adequate sites	Policy 3.1.8; Policy 3.1.9
	Distribution of housing for a range of incomes and types	Policy 3.1.7; Policy 3.1.8; Policy 3.1.9
	Including mobile home and manufactured homes	Policy 3.3.9; 3.3.10; 3.3.12; 3.3.14; 3.3.15
	Provide for specific programs and actions to partner with private and nonprofit sectors to address housing needs in the jurisdiction	Policy 3.1.5; 3.1.6; 3.2.6
	Streamline the permitting process	Policy 3.2.1; 3.2.2; 3.2.3
	Minimize costs and delays for affordable housing	Policy 3.2.3
	Establish standards to address the quality of housing	Policy 3.2.6
	Stabilization of neighborhoods	Policy 3.3.4
4.	Identification and improvement of historically significant housing.	Policy 3.7.1; 3.7.2; 3.7.3
	Speaks to state and federal housing plans as prepared on behalf of the county; requires them to be consistent with the GOPs of the housing element.	Policy 3.1.6



Rick Scott  
GOVERNOR



ATTACHMENT #54

Jesse Panuccio  
EXECUTIVE DIRECTOR

June 26, 2013

Mr. Anthony R. Matheny  
Director, Gadsden County  
Planning and Community Development  
Edward J. Butler Governmental Complex  
9 East Jefferson Street, 2<sup>nd</sup> Floor  
Quincy, Florida 32351



RE: Notification of prohibition on adoption of plan amendments for failure to submit proposed Evaluation and Appraisal Amendments

Dear Mr. Matheny:

The purpose of this letter is to inform you of a statutory prohibition outlined in Chapter 163, Part II, Florida Statutes, which will have an impact on your jurisdiction's ability to adopt comprehensive plan amendments in the future.

Section 163.3191(4), Florida Statutes, states that if a local government determines that amendments to its comprehensive plan are necessary to reflect changes in state requirements, and fails to prepare and transmit such plan amendment or amendments to the statutory reviewing agencies for review pursuant to s. 163.3184(4), Florida Statutes, within one (1) year after notifying the Department of its determination, it may not amend its comprehensive plan until such time as it complies by submitting the proposed amendments.

According to our records Gadsden County has not submitted the proposed Evaluation and Appraisal amendments which were due on May 1, 2013; and therefore, the County may not adopt amendments to its comprehensive plan until the proposed Evaluation and Appraisal amendments are submitted to the reviewing agencies.

If you have any questions concerning the processing of the proposed Evaluation and Appraisal amendments please contact Mr. Ray Eubanks, Plan Review Administrator, at (850) 717-8483 or Mrs. Ana Richmond, Regional Planning Administrator, at (850) 717-8509.

Sincerely,

D. Ray Eubanks  
Plan Processing Administrator





## Gadsden County Planning Commission Agenda Report

**Date of Meeting:** March 13, 2014

**To:** Honorable Chairman and Members of the Planning Commission

**From:** Allara Mills Gutcher, AICP, Planning & Community Development Director

**Subject:** Public Hearing – Amendment of the Land Development Code, Subsections 2101 (Definitions, Generally) and 5003 (Non-conformities)

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### **Statement of Issue:**

Update of the Land Development Code (LDC) to include a distinct difference between non-conforming uses, structures, and lots of record; to provide for condemnation relief for parcels which have been subject to roadway condemnation; to provide exceptions for such.

### **Analysis:**

The Comprehensive Plan has one policy regarding non-conforming uses:

Policy 1.5.1: The County's development review procedures shall include definitions for nonconforming lots, uses of land, structures, characteristics of uses of structures and premises. Redevelopment on non-conforming lots shall be required to incorporate buffers or other measures to mitigate the impacts of the non-conforming use.

The non-conforming standards that implement this policy are currently located within Chapter 5, Development Standards, Section 5000, General Standards of the LDC, and entitled in a subsection as "Non-conforming Uses and Structures". Currently, this subsection speaks to both non-conforming uses and structures, although the terms are interchangeably mixed and therefore are not effective in enforcement. There is a definite difference between a non-conforming use and a non-conforming structure, and again from a non-conforming lot of record.

Although a non-conforming structure can exist on as a non-conforming use on a non-conforming lot of record, each must be addressed separately. This amendment seeks to better define each of the issues.

A non-conforming use is one where the use of the property (e.g. as a grocery store) is located in a land use district or category which does not by-right allow such use (e.g. Rural Residential).

A non-conforming structure is one that is an allowable use (e.g. a residential home in a Rural Residential land use category), that does not meet at least one of the bulk regulations of the district in which it lies (e.g. building setbacks, impervious surface ratios, or other development standards as adopted by the local jurisdiction).

A non-conforming lot of record is one which does not meet the current lot size requirements of the Plan or the LDC.

Finally, the last sentence in Policy 1.5.1 is confusing, at best. As stated: "Redevelopment on non-conforming lots shall be required to incorporate buffers or other measures to mitigate the impacts of the non-conforming use." It is important to realize that the most common form of a non-conforming lot is one used for residential purposes. Non-conforming lots are generally those created either before the Comprehensive Plan or LDC adopted specific requirements for lot size or density. Another form of a non-conforming lot is one that is created without regard to the Plan or LDC requirements after such regulations have been put in place. This happens most often when a property owner splits a lot without regard to the Plan or LDC requirements. Therefore, although a non-conforming lot has been created or exists, the use is generally conforming (e.g. a residential use). As the policy is stated, it assumes the non-conforming lot will be or is being used outside the parameters of the Plan or LDC, consequently requiring mitigation measures such as a buffer. Within Gadsden County, residential uses are not required to buffer against residential uses.

The policy in the Comprehensive Plan will be submitted for your consideration for amendment once the Future Land Use Element is completed as part of the EAR-based amendments.

#### **Planning Department Findings:**

This amendment to the LDC will provide better direction to staff when administering regulations to non-conforming uses, structures and lots of record.

#### **Options:**

§163.31714(4)(c) Florida Statutes, states the Local Planning Agency has the following options:

Review proposed land development regulations, land development codes, or amendments thereto, and make recommendations to the governing body as to the consistency of the proposal with the adopted comprehensive plan, or element or portion thereof, when the local planning agency is serving as the land development



regulation commission or the local government requires review by both the local planning agency and the land development regulation commission.

Furthermore, the Land Development Code states this action is a legislative action (Subsection 7401). Section 7402 – *Land Development Code Amendments* states “The Planning Commission will make recommendations to the Board of County Commissioners on the validity of the proposed Land Development Code amendment.”

Therefore, the Planning Commission has the following options:

1. Recommend to the Board of County Commissioners that the proposed amendments are consistent with the Comprehensive Plan, and adopt the amendments to Chapters 2 and 5 of the LDC, as presented.
2. Recommend to the Board of County Commissioners that the proposed amendments are not consistent with the Comprehensive Plan, and do not adopt the amendments to Chapters 2 and 5 of the LDC, as presented.

**Staff Recommendation:**

Option 1. Recommend to the Board of County Commissioners that the amendment is consistent with the Comprehensive Plan and adopt the amendments as presented.

**Attachments:**

1. Draft amendments to Chapters 2 and 5 of the Land Development Regulations.



## CHAPTER 2 DEFINITIONS AND INTERPRETATIONS

## SECTION 2101 DEFINITIONS

## Subsection 2101. Generally.

**Condemnation:** The process of implementing eminent domain, whereby a government takes private property for public use.

**Non-conforming lot of record:** A legal lot of record existing at the time of passage of this Land Development Code which does not conform to the area, frontage, or other provisions of this Code for permitted lots in the land use category or zoning district in which it is located as of the date of adoption, or amendments thereto.

**Non-conforming parcel:** Same definition as non-conforming lot of record.

**Non-conforming structure:** A structure that does not conform to the provisions of this Land Development Code for permitted structures in the land use category or zoning district in which it is located as of the date of adoption, or amendments thereto.

**Commented [AMG1]:** New definitions, these do not currently exist but are needed to provide meaning to terms used in this Code.

**Non-conforming use:** A structure or land lawfully occupied by an existing use lawful use existing at the time of passage of this Land Development Code, which does not conform to the provisions of this Code for permitted uses in the land use or zoning district in which it is located as of the date of adoption or amendments thereto, which does not conform with the permitted uses for the district in which it is situated located, either at the effective date of the Comprehensive Plan or as a result of subsequent amendments to the Comprehensive Plan.

**Commented [AMG2]:** This definition mixes the "use" and "structure" non-conformities, which are completely different in nature.

## CHAPTER 5 DEVELOPMENT STANDARDS.

## SECTION 5000. GENERAL STANDARDS.

Subsection 5003. ~~Non-conforming Uses and Structures~~Non-conformities.

**Commented [AMG3]:** Changing title as there are several types of non-conformities.

**A. Intent.** It is the intent of this subsection to promote the conversion of non-conforming uses and structures to conformance with the provisions of the Gadsden County Comprehensive Plan, 2001 and this Code. The regulations of this subsection allow non-conforming uses to continue until they are removed voluntarily, by economic forces, acts of God, by legal or other means, with the exception of non-conforming residential structures and uses. Non-conforming residential structures, including single family homes, mobile (manufactured) homes, and multiple family residential





## CHAPTER 5

~~structures and uses, shall be permitted to retain and re-establish such unit(s) if voluntarily or non-voluntarily removed from a non-conforming lot or parcel in accordance with Subsection 5003.B.7. The intent is also not to permit the re-establishment or replacement of any Recreational vehicle (RV) used as a dwelling unit in other than an approved RV park. These regulations are further intended to restrict additional investment in non-residential non-conformities and to provide incentives for their early conversion. No provision of this Code shall prohibit the replacement of a manufactured (mobile) home with a site built home.~~

~~(Ord. # 2006-023, 10-03-06)~~

- B. ~~Non-Conforming Uses.~~** ~~Lawful non-conforming uses or structures, with the exception of non-conforming residential structure(s), may continue in use but shall not be enlarged, expanded, extended, or otherwise modified, except for required repair and maintenance. Any proposed expansion or alteration of non-conforming uses and/or structures shall be in full compliance with all requirements of this Code. Lawful non-conforming residential uses and structures may be continued and re-established as designated herein, except RV units used as dwelling units, and may be expanded on a parcel if such expansion occurs in compliance with the existing Land Development Code and the Florida Building Code. (Ord. # 2006-023, 10-03-06)~~

~~Use of non-conformities shall be subject to the following conditions:~~

- ~~1. Where a non-conforming structure is located wholly or partially in the required setback from an abutting right-of-way, the Planning Director may waive the required setbacks to allow for alteration of said structure, or re-establishment/re-placement of a non-conforming residential structure/use provided such alterations do not enlarge any portions of the non-conforming structure within the required setback. (Ord. # 2006-023, 10-03-06)~~
- ~~2. Provision of required off-street parking or loading spaces is allowed, provided such extension does not involve structural alteration or enlargement of structure(s) containing the non-conforming use in question. (Ord. # 1996-002, 7-2-96)~~
- ~~3. No non-conformity shall be moved, in whole or in part, for any distance whatsoever, to any other location on the same or any other lot unless the entire structure or use shall thereafter conform to the requirements of this Code, the Gadsden County Comprehensive Plan, and any Code adopted by reference. Said restriction shall not apply to a pre-existing non-conforming residential structure(s)/uses provided that such structure(s)/uses are moved on a lot or parcel in compliance with required building setbacks. (Ord. # 2006-023, 10-03-06)~~
- ~~4. No use or structure which is accessory to a principal lawful non-conforming use or structure shall continue after such principal use or structure shall have ceased or has been terminated. (Ord. # 1996-002, 7-2-96)~~
- ~~5. Redevelopment on non-conforming lots shall be required to incorporate buffers or other measures to mitigate the impacts of the non-conforming use. (Ord. # 2006-023, 10-03-06, & Ord. #2013-002, 02-19-13)~~

**Commented [AMG4]:** Rewritten as there are fundamental differences between non-conforming structures, lots, and uses.

**Commented [AMG5]:** A non-conforming structure is one that is located within the required yard setbacks, or does not meet other required bulk regulations of a structure.

Allowing the Planning Director to waive the setbacks is arbitrary with no criteria described. This is a variance request.

**Commented [AMG6]:** This is covered in 5003(B)(5)

**Commented [AMG7]:** These provisions are required, not "allowed".

**Commented [AMG8]:** This is covered in 5003(B)(3)

**Commented [AMG9]:** Missing a word.

**Commented [AMG10]:** See 5003(B)(4)

**Commented [AMG11]:** If a non-conforming use has ceased, the entire use has lost the legal right.

**Commented [AMG12]:** A non-conforming lot and a non-conforming use are not the same issue. A non-conforming lot may have a conforming use on it. I.E. a residential subdivision that does not meet the size requirements of the lots, or roadway requirements will still have conforming uses (residential homes). This regulation assumes that all non-conforming lots will have a non-conforming use on it.





## CHAPTER 5

6. ~~If a non-residential non-conforming use of a structure or use of land ceases, or if that use has been discontinued for a period of three (3) years as determined by evidence gathered by the Planning and Community Development Department, use of the structure, or structure and use of land, shall thereafter conform to the standards of this Code. (Ord. # 2006-023, 10-03-06 & Ord. # 2013-002, 02-19-13)~~
7. ~~A non-conforming residential use or density may be re-established or be replaced if the structure is replaced within two years of removal or date of destruction (i.e. a non-conforming mobile home may be replaced by a replacement mobile home.) No provision of this Code shall prohibit the replacement of a manufactured (mobile) home with a site-built home (also see Subsection 5003.E.) (Ord. # 2006-023, 10-03-06)~~
8. ~~Any proposal to re-establish or replace a non-conforming residential use shall not be construed to supersede regulations of the Florida Department of Health. (Ord. # 2006-023, 10-03-06)~~
9. ~~Legally authorized construction of any structure whose placement, structural design or intended use is rendered non-conforming by adoption of this Code, and for which the final Certificate of Occupancy has not been issued as of the enactment date, may continue without change. (Ord. # 2006-023, 10-03-06)~~

**Commented [AMG13]:** See 5003(A) for uses, and 5003(B) for structures. Proof of use is in 5003(F)

**Commented [AMG14]:** Ibid. Also see 5003(E) for exception of mobile homes.

**Commented [AMG15]:** Statement of law. All on-site sewage systems are required to obtain Health Dept. permits.

**Commented [AMG16]:** See 5003(A) and 5003(B)

**C Maintenance.** ~~Normal maintenance and incidental repair of a legal non-conformity shall be permitted, provided that no other section or subsection of this Code is violated within the limitations listed below. (Ord. # 1996-002, 7-2-96)~~

1. ~~Nothing in this subsection shall be deemed to limit or prevent the strengthening or restoration of a structure to a safe condition in accordance with an order of a public official who is charged with protecting the public safety. That official may declare such structure to be unsafe and order it's restoration, provided such repairs are the minimum necessary to bring the property to a safe condition. (Ord. 1996-002, 7-2-96)~~
2. ~~Non-conforming residential uses or structures damaged by fire or natural forces equal to or in excess of fifty percent (50%) of the value of a structure, as determined by the Building Official or a certified or licensed property appraiser, beyond the control of the owner may be re-placed, re-established, or re-constructed provided that such residential uses or structure(s) have obtained a permit for reconstruction within two years after removal or by destruction by natural or accidental forces. The Board of County Commissioners may, upon application and review, but prior to the expiration of the two-year period, extend the time for demonstrated cause. (Ord. # 2006-023, 10-03-06)~~
3. ~~If a non-conforming non-residential use or structure is damaged by fire, or natural forces beyond the control of the owner in excess of fifty percent (50%) of the value of the structure as determined by the Building Official or certified or licensed property appraiser, the Building Official shall determine whether repairs may be made so as to continue said use or structure within the limits as described above. Repairs must be made and completed within one hundred twenty (120) days of acquiring a building permit and in~~

**Commented [AMG17]:** See 5003(B)





## CHAPTER 5

accordance with other provisions of the adopted Gadsden County Codes. In the event that the repairs have not been so completed or the Building Official has determined that such repairs are not appropriate, the structure shall not be further repaired or rebuilt or the non-conforming use continued, unless compliance with the requirements of the Code are enacted. (Ord. # 2006-023, 10-03-06)

**D. Alteration of Non-Conformities.** Non-conforming uses and structures shall be brought into conformance with the provisions of this Code through the building permit process. No building permits shall be issued for construction or alterations on parcels containing non-conformities and/or until said non-conformities are removed, unless the permit is for the purpose of bringing the non-conformity into compliance and performance of necessary maintenance pursuant to this Section or construction has been lawfully authorized, or unless the permit is for the alteration of a lawfully permitted non-conforming residential use or structure provided such alteration does not increase the non-conforming use, density, or setback. (Ord. # 2006-023, 10-03-06)

1. If a non-conforming non-residential use of a structure or land ceases, or if that use has been discontinued for a period of one (1) year as determined by evidence gathered by the Growth Management Department, use of the structure, or structure and land, shall thereafter conform to the standards of this Code. (Ord. # 2006-023, 10-03-06)
2. The following incentives are offered if non-conforming uses and structures are brought into compliance with this Code.
  - a. Site plans bringing non-conforming structures and uses into conformance with the provisions of this Code may be subject to a Type I Review regardless of the total gross floor area of the site. Review fees may be waived by the Board of County Commissioners in this case.
  - b. Off-street parking and retention may be provided on an adjacent lot provided that the other requirements of this Code can be met on the parcel where the parking and/or retention are to be located. Such off-street parking shall be subject to the provisions of this Code.
  - c. Reduction of required parking spaces may be allowed. (Ord. # 2006-023, 10-03-06) (Ord. # 1996-002, 7-2-96)

**E. Limitations.** An abandoned or vacant non-conforming residential unit that has not maintained electrical service to such unit within two (2) years from the date of removal, demolition or destruction of such non-conforming residential unit(s) shall not be re-established, re-placed or reconstructed. An applicant for a building permit or concurrency evaluation may be required to provide evidence of the date of removal of utility services or a fire department or insurance report indicating the date of discontinuance of the residential use (also see Subsection 5003.B.7). (Ordinance 2006-023, 10-3-06)

Commented [AMG18]: See 5003(B)(6)(a)

Commented [AMG19]: See 5003(F)

**A. Non-conforming Uses.** Non-conforming uses may continue, subject to the





## CHAPTER 5

following restrictions:

1. Public Hazard. The use must not constitute a threat to the general health, safety, or welfare of the public.
2. Expansions or extensions. Non-conforming uses shall not be expanded or enlarged or increased or extended.
3. Modifications of use. Non-conforming uses may be modified or altered in a manner which decreases the non-conformity, but may not be modified or altered in a way which increases the non-conformity. Once a non-conforming use or part thereof is decreased in non-conformity, the non-conformity may not be increased thereafter.
4. Abandonment or discontinuance. Where a non-conforming use is discontinued or abandoned for a period as described in parts (a) and (b) of 2003(A)(4) below, then prior to reoccupation any further use of the premises shall comply with the provisions of this Code.
  - a) Legal non-conforming residential uses which were in existence or usage prior to the adoption or amendment of this Code, may continue in perpetuity, or be replaced or reconstructed within two (2) years of the removal date or date of destruction, as long as yard setback, landscaping and buffering requirements are met.
  - b) Legal non-conforming non-residential uses which were in existence or usage prior to the adoption or amendment of this Code, may continue in perpetuity, or be replaced or reconstructed within three (3) years of the removal date or date of destruction, as long as yard setback, landscaping and buffering requirements are met.
5. Change of ownership. Change of ownership or other transfer of an interest in real property on which a non-conforming use is located shall not in and of itself terminate the non-conforming status of the premises.
6. Change in use. Should a non-conforming use be converted in whole or in part to a conforming use, that portion of the non-conforming use so converted shall lose its non-conforming status.

**B. Non-conforming Structures.** Non-conforming structures may remain in a non-conforming state subject to the following restrictions:

1. Public Hazard. The building or structure must not constitute a treat to the general health, safety, or welfare of the public.
2. Ordinary Repair and Maintenance. Normal and ordinary maintenance and repair to a non-conforming building or structure shall be permitted.
3. Expansion or Extensions. A non-conforming building or structure shall not be expanded or enlarged.
4. A non-conforming structure shall not be moved on the same lot unless the entire structure is moved to make the structure conforming to the requirements of this Code.





## CHAPTER 5

5. Damage or Destruction. Where a non-conforming building or structure is substantially damaged or destroyed, reconstruction of such development shall comply with the provisions of this Code. A structure shall be considered substantially damaged or destroyed if the cost of reconstruction or repair is fifty (50) percent or more of the fair market value of the structure at the time of the damage or destruction. If the non-conforming development is comprised of multiple structures under the same ownership and on the same parcel, the cost of reconstruction shall be measured against the combined fair market value of all of the structures in determining the issue of substantial damage.

6. Abandonment or discontinuance. If a building or structure has not been actively occupied for a period as described in parts (a) and (b) of 2003(B)(5) below, then prior to reoccupation, the building or structure will be required to comply with the requirements of this Code, including but not limited to requirements relating to stormwater, height, density, intensity, setbacks, parking, open space, buffers, and landscaping. The time limitations of non-conforming structures is:

a) Legal non-conforming residential structures which were in existence or usage prior to the adoption or amendment of this Code, may continue in perpetuity, or be replaced or reconstructed within two (2) years of the removal date or date of destruction, within the building footprint in which they were previously located.

b) Legal non-conforming non-residential structures which were in existence or usage prior to the adoption or amendment of this Code, may continue in perpetuity, or be replaced or reconstructed within three (3) years of the removal date or date of destruction, within the building footprint in which they were previously located.

7. Conflict. In the event of conflict between the provisions of this section and other portions of this Code, then the provision of such other portion shall prevail.

**C. Non-conforming lots of record.** A legal non-conforming lot of record may be used and developed or redeveloped without compliance with the lot area, frontage, or lot width standards of this Code, as those exist, as long as:

1. No non-conforming lot of record may be subdivided into a smaller division of land.
2. All use restrictions and other development standards are met.

**D. Condemnation Relief.** It is the intent to provide relief to the owners of land affected by roadway condemnation by allowing a relaxation of requirement of land development regulations which are necessary for reasonable use of the property and to provide relief where, as a result of land acquisition for condemnation purposes, non-conforming lots or parcels are created, existing



## CHAPTER 5

structures are rendered non-conforming, available parking area reduced, stormwater area is effected, or use of property is otherwise curtailed.

1. Applicability. This is meant to be applied where strict enforcement of this Code would have the effect of increasing the cost of land acquisition to the condemning authority and/or causing hardship to the landowner.
2. Requirements. Existing use areas which are not within the part taken, but, because of the taking, do not comply with the setback, buffer, minimum lot requirements, lot coverage, stormwater management, parking, open space, and landscape provisions of this Code, shall not be required to be reconstructed to meet such requirements and the remainders shall be deemed thereafter to be conforming properties. The exemption thus created shall constitute a covenant of compliance running with the use of the land.
3. Relocation on Same Parcel. Any conforming building, vehicular use area, or other permitted use taken either totally or partially may be relocated on the remainder of the site without being required to comply with the setback and other provisions of this Code except that the relocated building, vehicular use area, or other permitted use shall be set back as far as is physically feasible without reducing the utility or use of the relocated building, vehicular use area, or other permitted use below its pre-taking utility or use. The exemption thus created shall constitute a covenant of compliance running with the land.
4. Restoration. Any properties in category (D)(2) or (D)(3) of this subsection which are thereafter destroyed, or partially destroyed, may be restored.
5. Determination of Dangerous Condition. As to the exemptions in subsections (D)(2) or (D)(3) of this section, either the condemning authority or the landowner of both of them, after proper notification to the land owner, may apply in writing to the director for a determination that the granting of the exemption will not result in a condition dangerous to the health, safety, or welfare of the general public. The director shall, within 30 days of the filing of the application, determine whether or not the waiver of the setback requirement granted by this section will endanger the health, safety, or welfare of the general public. If the director determines that the granting of the exemption under this section will not constitute a danger to the health, safety, or welfare of the general public, the director shall issue a signed letter to all parties granting waivers. The letter shall specify the details of the waiver in a form recordable in the public records of the County. If the application is denied, the director shall issue a signed letter to the applicant specifying the specific health or safety ground upon which the denial is based.
6. Permits or Variances Needed. Any development permits or variances necessary to relocate building, vehicular use areas, or permitted uses taken or partially taken can be applied for by the condemning authority and/or landowners and administratively granted for the property in question.





## CHAPTER 5

7. Status of Use. Any legally non-conforming existing land use which, as a result of the taking or reconstruction necessitated by the taking, would be required to conform shall continue to be a legally non-conforming land use.

**E. Exceptions.** The following exceptions shall apply to this Code:

1. The replacement of a residential manufactured or mobile home with a residential site-built or modular home shall be allowable regardless of other provisions of this Code, and without limit of time allowances.
2. Normal maintenance and incidental repair of a structure on a parcel where the use is non-conforming, or a non-conforming structure, shall be permitted.
3. Reconstruction of non-conforming structures or structures on a parcel where the use is non-conforming shall retain its non-conforming status if the structure is substantially damaged. A structure shall be considered substantially damaged or destroyed if the cost of reconstruction or repair is fifty (50) percent or more of the fair market value of the structure at the time of the damage or destruction.
4. With exception to Subsection 5003(A)(1), Subsection 5003(A) shall not apply to those uses located on parcels of property designated "Historical" on the Future Land Use Map or Zoning Map.
5. The provisions of Subsection 5003(B) parts 3-5 shall not apply to those structures located on parcels of property designated "Historical" on the Future Land Use Map or Zoning Map.

**Commented [AMG20]:** Removing exceptions from the main text of the regulation provides ease in determination of such exceptions. I submit in any case exceptions should be located in a separate section of the regulation or subsection.

**F. Proof of use.** One or more of the following examples of evidence shall be required to show proof of active occupancy of a non-conforming use or structure.

1. Utility service history.
2. Fire or insurance report of date of damage, in conjunction with appraised value of damage.
3. On-site septic disposal permit from the state Health Department.
4. History of electrical utility consumption.

**Commented [AMG21]:** See current 5003(E)

